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REPORT

FROM

SELECT COMMITTEE

ON

STANDING ORDERS REVISION.

(1842.)

Ordered, by The House of Commons, *to be Printed,*
1 *August* 1842.

513.

Mercurii, 13° *die Julii*, 1842.

Ordered, That a Select Committee be appointed "to consider the propriety of making such alterations in the Standing Orders as may be conducive to the improved conduct of the Private Business of this House:"—

Lord Granville Somerset.
Mr. Estcourt.
Sir George Grey.
Mr. Greene.
Mr. Strutt.
Sir John Yarde Buller.
Mr. Loch.
Mr. Labouchere.
Mr. Pendarves.
Mr. Wilson Patten.
Mr. Aglionby.
Sir Robert Ferguson.
Sir William Heathcote.
Mr. Ewart.
Mr. William Miles.

Ordered, That the Committee have power to send for Persons, Papers, and Records; and that Five be the Quorum of the Committee.

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REPORT.

THE SELECT COMMITTEE appointed to consider the propriety of making such Alterations in the STANDING ORDERS as may conduce to the improved Conduct of the PRIVATE BUSINESS of this HOUSE;——HAVE considered the Matters to them referred, and have agreed to the following REPORT:

YOUR Committee, in discharge of the duty entrusted to them, have carefully revised the whole of the Standing Orders in respect of Private Bills, and have made such Amendments therein as appeared to them desirable.

The nature of these Amendments will, in the opinion of Your Committee, be more conveniently brought before the notice of The House by the Observations they have placed against the more material of them, than by any remarks in this place.

It only remains, therefore, to Your Committee to recommend the Standing Orders, amended and arranged by them as follows, to the consideration of Your Honourable House.

1 *August* 1842.

PROCEEDINGS OF THE SELECT COMMITTEE.

Lunæ, 18° *die Julii*, 1842.

PRESENT:

Lord Granville Somerset.	Mr. Estcourt.
Sir George Grey.	Mr. Greene.
Mr. Strutt.	Sir John Yarde Buller.
Mr. Loch.	Mr. Ewart.

Lord GRANVILLE SOMERSET called to the Chair.

Committee proceeded in the revision of the Standing Orders, and made several Amendments thereto.

[Adjourned to Tuesday, 19th, at Two o'clock.

Martis, 19° *die Julii*, 1842.

Lord GRANVILLE SOMERSET in the Chair.

Mr. Estcourt.	Mr. Greene.
Mr. Strutt.	Sir John Yarde Buller.
Mr. Wilson Patten.	Sir R. Ferguson.

Committee proceeded in the revision of the remaining Standing Orders, and made several Amendments thereto.

Standing Orders, as amended, ordered to be printed, and to be taken into consideration at the next meeting of the Committee.

[Adjourned to Monday, 25th, at One o'clock.

Lunæ, 25° *die Julii*, 1842.

Lord GRANVILLE SOMERSET in the Chair.

Mr. Estcourt.	Sir John Yarde Buller.
Mr. Greene.	Mr. Wilson Patten.
Sir R. Ferguson.	Mr. Ewart.

Standing Orders printed as amended at the last sitting of the Committee; further considered, and several Amendments made thereto.

[Adjourned till Wednesday, at One o'clock.

Jovis,

Jovis, 28° *die Julii*, 1842.

Lord GRANVILLE SOMERSET in the Chair.

Mr. Estcourt.	Mr. Greene.
Sir John Yarde Buller.	Sir R. Ferguson.
Mr. Ewart.	

Resolved,—That it is desirable, for the purpose of causing greater uniformity of decision, that the number of the Select Committee on Standing Orders be reduced.

That it will be expedient, for the purpose of the Select Committee on Standing Orders becoming more fully acquainted with the facts which may have been elicited by the Sub-Committees on Petitions for Private Bills, that the Chairmen of those Committees should be also members of the Select Committee on Standing Orders.

Standing Order, No. 3, further considered and amended according to the foregoing Resolutions.

Standing Orders further considered, and several Amendments thereto made.

[Chairman to report.

STANDING ORDERS.

PRIVATE BILLS :

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ABSTRACT OF STANDING ORDERS

RELATING TO THE PASSING OF PRIVATE BILLS THROUGH

THE HOUSE OF COMMONS.

ABSTRACT of STANDING ORDERS relating to the passing of PRIVATE BILLS through The HOUSE of COMMONS.

STAGES OF THE PROCEEDINGS.	NOTICES AND APPLICATIONS.	DEPOSITS.	INTERVALS TO BE OBSERVED.
Previous to the commencement of Proceedings in The House.	No. of Standing Order. 15.—Notice in the London, Edinburgh or Dublin Gazettes [as the case may be], and in some one and the same County Paper, in Three successive Weeks of October and November, or one of them.	No. of Standing Order. 22.—Deposit with the Clerk of the Peace, Plans, Sections and Books of Reference on or before the 30th of November. 26.—Deposit with the Parish Clerks, &c. &c., Parochial Plans, Sections and Books of Reference before the 31st of December. 27.—Deposit in the Private Bill Office, Plans, Sections and Books of Reference on or before the 31st of December.	
Additional under special circumstances:			
If Lands or Houses to be taken.	17.—Application to Owners, Lessees and Occupiers before the 31st of December.	17.—Deposit in the Private Bill Office, Lists of Owners, Lessees and Occupiers on or before the 31st of December.	
If a First Class Bill -	18.—Notice on the Church Doors of all Parishes affected on Three successive Sundays in October and November, or either of them.		
If to make a Burial Ground.	19.—Notice on the Church Doors of every adjoining Parish on Three successive Sundays in October and November, or either of them. 20.—Notice to the Owner and Occupier of every Dwelling-house within 300 Yards of the intended Burial Ground on or before the 31st of December.		
Presentation of the Petition for a Bill.	35.—Notice to Owners and Occupiers, if the Bill be to relinquish a work authorized by a former Act, before the Presentation of the Petition.	34.—Deposit in the Vote Office printed Copies of Subscription Contract, or of Declaration and Estimate, before the Presentation of the Petition.	97.—Petition to be presented within Twenty-one Days after the First Friday in the Session.
Committee on Petitions	118.—Notice in the Private Bill Office of the First Meeting of the Committee, Ten clear Days. 119.—Notice in the Private Bill Office of the Postponement of the First Meeting of the Committee, One clear Day.	- - - - - - - -	98.—Between the Presentation of Petition and the Meeting of the Committee, if an English Bill Ten clear Days; if Scotch or Irish Bill, Fifteen clear Days.
Second Reading - -	123.—Notice in the Private Bill Office of the Second Reading, Three clear Days.	- - - - - - - -	102.—Between the First and Second Reading, Three clear Days. 104.—Second Reading not within Two Months after the last Notice in the Newspapers. 106.—Second Reading not within Three clear Days after the Breviate shall have been laid on the Table

STAGES OF THE PROCEEDINGS.	NOTICES AND APPLICATIONS.	DEPOSITS.	INTERVALS TO BE OBSERVED.
ommittee on the Bill	No. of Standing Order. 124.—Notice in the Private Bill Office of the Meeting of the Committee, Seven clear Days.	No. of Standing Order. 125.—Deposit in the Private Bill Office a filled-up Bill, on giving Notice of the Committee.	109.—Between Second Reading and the Meeting of the Committee, Seven clear Days.
ostponement of the Committee.	126.—Notice in the Private Bill Office of the Postponement of First Meeting of the Committee, One clear Day.		
e-committal of the Bill	124.—Notice in the Private Bill Office of the Meeting of the Committee, Three clear Days.	125.—Deposit in the Private Bill Office a filled-up Bill, as proposed to be submitted to the Committee, on giving Notice.	
eport considered -	128.—Notice in the Private Bill Office of the Consideration of the Report, One clear Day. 130.—Notice in the Private Bill Office of any Clause to be brought up, or Amendments to be made on the Consideration of the Report, on the Day previous to such Consideration.	112.—Deposit with the Door-keepers, Prints of the Bill as amended Three clear Days before the Report is considered. 130.—Deposit in the Private Bill Office, any Clause to be brought up, or Amendment to be made on the Consideration of the Report, on the Day previous to such Consideration.	
hird Reading - -	131.—Notice in the Private Bill Office of the Third Reading, One clear Day. 130.—Notice in the Private Bill Office of any Clause to be brought up, or Amendments to be made on the Third Reading, on the Day previous to such Third Reading.	130.—Deposit in the Private Bill Office, any Clause to be brought up, or Amendment to be made on the Third Reading, on the Day previous to such Third Reading.	
onsideration of Lords' Amendments.	136.—Notice in the Private Bill Office of the Consideration of Lords' Amendments on the Day previous to such Consideration.		

I.

APPOINTMENT OF COMMITTEES.

1.

The reference of Estate Bills from the House of Lords has been added to this Order, confirming thereby what, in fact, is the present practice.

3.

The number of Members of the Select Committee on Standing Orders has been reduced in this Order from Fifteen to Eleven, with a view to obtain a greater uniformity of decision. And the Chairmen of the Committee and Sub-Committees on Petitions are herein appointed of the Select Committee on Standing Orders, in order that the latter may at any time be made more fully acquainted with the facts that have been elicited before the Sub-Committee.

Appointment of Committees.

STANDING ORDERS;

1685—1842.

APPOINTMENT OF COMMITTEES.

1.

Committee on Petitions for Private Bills.

THAT a Committee be appointed at the commencement of every Session, consisting of *Forty-two* Members, of whom *Five* shall be a Quorum in opposed cases, and *Three* a Quorum in unopposed cases, to which shall be referred all Petitions for Private Bills, with their annexed Bills, and all Estate Bills brought from the House of Lords, after having been read a first time; and such Committee shall be denominated "THE SELECT COMMITTEE ON PETITIONS FOR PRIVATE BILLS."

2.

Sub-Committees.

THAT the Select Committee on Petitions for Private Bills have leave to divide themselves into Sub-Committees, each consisting of *Seven* Members at the least, and to make regulations for the transaction of business.

3.

Committee on Standing Orders.

THAT a Committee be appointed at the commencement of every Session, consisting of *Eleven* Members, including the Chairmen of the Committee and of the Sub-Committees on Petitions for Private Bills, of whom *Five* shall be a Quorum, and such Committee shall be denominated "THE SELECT COMMITTEE ON STANDING ORDERS."

4.

Committee of Selection.

THAT a Committee be appointed at the commencement of every Session, consisting of the Chairman of the Select Committee on Standing Orders and of the Chairmen of the Committee and of the Sub-Committees on Petitions for Private Bills, of whom *Three* shall be a Quorum, and such Committee shall be denominated "THE COMMITTEE OF SELECTION."

Appointment of Committees.

5.

Committee on Opposed Private Bills.

THAT the Committee on every "Opposed Private Bill," not being a Divorce Bill, shall consist of the Members on The Speaker's List of that County or that Division of a County to which the Bill specially relates, and of such number of "Selected Members" not locally interested in the Bill in progress, and in such proportion, as the circumstances of each case shall in the judgment of the Committee of Selection require, of which Committee *Five* (including the Quorum of selected Members) shall be a Quorum.

6.

Committee on Unopposed Private Bills.

THAT the Committee on every "Unopposed Private Bill," not being a Divorce Bill, and which shall have originated in this House, shall consist of the Chairman of the Committee of Ways and Means, together with the Members ordered to prepare and bring in the Bill; and that the Committee on every "Unopposed Private Bill," not being a Divorce Bill, which shall have been brought from the House of Lords, shall consist of the Chairman of the Committee of Ways and Means, and of not less than *Two* other Members to be named by the Committee of Selection; and that the Chairman of the Committee of Ways and Means shall be the Chairman of the Committee on every "Unopposed Private Bill," not being a Divorce Bill; and that such Chairman and *One* of such other Members shall be the Quorum required to be present during the whole progress of the Bill through such Committee.

7.

Committee on Divorce Bills.

THAT a Committee be appointed at the commencement of every Session, consisting of not more than *Fifteen* Members, of whom *Five* shall be a Quorum, to which shall be referred all Divorce Bills, and such Committee shall be denominated "THE SELECT COMMITTEE ON DIVORCE BILLS."

8.

Members not to be added to Committee, except by special order.

THAT after any Committee on a Private Bill shall have been formed, no Members be added thereto, unless by special order of The House.

II.

DUTIES OF COMMITTEES.

Committee on Petitions.

DUTY OF THE SELECT COMMITTEE ON PETITIONS FOR PRIVATE BILLS.

9.

Compliance with Standing Orders to be proved before Sub-Committee.

THAT the compliance with the following Standing Orders shall be proved before one of the Sub-Committees of the Select Committee on Petitions for Private Bills, and any parties shall be at liberty to appear and be heard, by themselves, their agents and witnesses, upon any Petition which may be referred to such Committee, complaining of a non-compliance with the Standing Orders, provided the matter complained of be specifically stated in such Petition, and that such Petition be presented *Three* clear days before the first meeting of such Sub-Committee.

10.

Proof of Notices on Church-doors, where Bills relate to *England*.

THAT in the case of any application for a Private Bill relating to *England*, the Committee may admit proof of the compliance with the Standing Orders which refer to the affixing to the Church-doors the requisite Notices, on the production of affidavits sworn before any Justices in Petty Sessions assembled, for the division within which the Churches on which the Notices have been affixed shall be respectively situated.

11.

Standing Orders may be proved on Affidavit.

Scotland.

THAT in the case of any application for a Private Bill relating to Scotland, the Committee may admit proof of the compliance with the Standing Orders of this House, on the production of Affidavits sworn before any Sheriff Depute or his Substitute there, whose Certificate shall be admitted as evidence of such proof having been made, unless the Committee shall require further evidence.

12.

Standing Orders may be proved on Affidavit.

Ireland.

THAT in the case of any application for a Private Bill relating to Ireland, the Committee may admit proof of the compliance with the Standing Orders of the House, on the production of Affidavits sworn before any Judge or Assistant Barrister of that part of the United Kingdom, whose Certificate shall be admitted as evidence of such proof having been made, unless the Committee shall require further evidence.

13.

Sub-Committee to report facts when Standing

THAT when the Sub-Committee shall report to The House that the Standing Orders have not been complied with, they do report

Orders have not been complied with.

report the facts upon which their decision is founded, and any special circumstances connected with the case.

14.

Notices of Application.

THAT Notices be given in all cases where Application is intended to bemade for leave to bring in a Bill relating to the subjects included in any of the following Classes :—

1st CLASS.—Burial Ground, Making, Maintaining or Altering.
Church or Chapel, Building, Enlarging, Repairing or Maintaining.
City or Town, Paving, Lighting, Watching, Cleansing or Improving.
Crown, Church, or Corporation Property, or Property held in Trust for Public or Charitable Purposes.
Fishery, Making, Maintaining or Improving.
Land, Inclosing, Draining or Improving.
Market or Market-place.
Local Court, Constituting.
Market or Market-place, Erecting, Improving, Repairing, Maintaining, or Regulating.
Poor, Maintaining or Employing.
Poor Rate.
Stipendiary Magistrate, or any Public Officer, Payment of, if not out of County Rate.

2d CLASS.—Making, Maintaining, Varying, Extending or Enlarging any

Aqueduct.
Archway.
Bridge.
Canal.
Cut.
Dock.
Ferry.
Harbour.
Navigation.
Pier.
Port.
Railway.
Reservoir.
Tunnel.
Turnpike Road.
Waterwork.

3d CLASS.—Continuing or amending an Act passed for any of the purposes included in this or the two preceding Classes, where no further work than such as was authorized by a former Act is proposed to be made.
Company, Incorporating or giving Powers to.
County Rate.
County or Shire Hall, Court House.
Gaol or House of Correction.
Letters Patent, Confirming, Prolonging or Transferring the Term of.
Powers to sue and be sued, Conferring.
Stipendiary Magistrate, or any Public Officer, Payment of, if out of County Rate.

15. THAT

14.

" County or Shire Hall, Court House," have been transferred from First Class to Third Class. The words " if not out of County Rate," have been added after " Stipendiary Magistrate, &c. Payment of," in First Class. And in the Third Class have been added, " Stipendiary Magistrate, &c. Payment of, if out of County Rate."

The subjects in the different Classes have been arranged alphabetically.

15.

Such part of this Order as required Notices for a Bill for making a Railway to be given in February and March, have been omitted, in pursuance of the Resolution of The House in the present Session.

15.

Notices to be published.

That such Notices be published in *Three* successive *Weeks* in the months of *October* and *November*, or either of them, immediately preceding the Session of Parliament in which Application for the Bill shall be made, in the *London*, *Edinburgh* or *Dublin Gazette*, as the case may be, and in some one and the same Newspaper of the County in which the City, Town or Lands to which such Bill relates shall be situate; or if there be no Newspaper published therein, then in the Newspaper of some County adjoining or near thereto, or if such Bill do not relate to any particular City, Town or Lands, in the *London*, *Edinburgh* or *Dublin Gazette* only, as the case may be; and that all Notices required to be inserted in the *London*, *Edinburgh* or *Dublin Gazette*, be delivered at the Office of the Gazette in which the insertion is required to be made, during the usual office hours, at least *Two* clear *Days* previous to the publication of the Gazette, and that the receipt of the Printer for such Notice shall be proof of its due delivery.

16.

Intention to levy or alter Tolls to be stated.

That if it be the intention of the Parties applying for leave to bring in a Bill, to levy any Tolls, Rates or Duties, or to alter any existing Tolls, Rates or Duties, or to confer, vary, or extinguish any exemptions from payment of Tolls, Rates or Duties, or any other rights or privileges, the Notices shall specify such intention.

17.

Application to Owners, &c.

That on or before the 31st day of *December* immediately preceding the application for a Bill by which any Lands or Houses are intended to be taken, or an extension of the time granted by any former Act for that purpose is sought, application in writing, (and in cases of Bills included in the second class, in the form, as near as may be, set forth in the Appendix marked (A.)), be made to the Owners or reputed Owners, Lessees or reputed Lessees, and Occupiers, either by delivering the same personally, or by leaving the same at their usual Place of Abode, or in their absence from the United Kingdom, with their Agents respectively, of which application having been duly made, the production of a written acknowledgment by the party

Committee on Petitions.

applied to of the receipt of such application, shall be sufficient evidence, in the absence of other proof, of the same having been duly delivered or left as aforesaid; and that separate Lists be made of the Names of such Owners, Lessees and Occupiers, distinguishing which of them have assented, dissented, or are neuter in respect thereto. (*See* as to depositing said Lists in Private Bill Office, page 51, No. 117.)

ORDERS specially relating to BILLS of the FIRST CLASS.

18.

Notices on Church Doors.

THAT in cases of Bills included in the 1st Class, Notices shall also be affixed to the Outer Doors of the Churches of every Parish to which they specially relate, for *Three* successive *Sundays* in the said months of *October* and *November*, or either of them.

Burial Grounds.

19.

Notices on Church Doors.

THAT Notices be affixed to the Outer Doors of the Churches of every Parish adjoining that in which a Burial Ground is proposed to be made, for *Three* successive *Sundays* in the months of *October* and *November*, or either of them.

20.

Notice to Owners and Occupiers of Houses.

THAT on or before the *Thirty-first* day of *December* immediately preceding the Application for any Bill for making a Burial Ground, Notice be given to the Owner and Occupier of every Dwelling House situated within 300 Yards of the Boundary of the proposed Burial Ground.

ORDERS specially relating to BILLS of the SECOND CLASS.

21.

Notices to contain Names of Parishes, &c.

THAT in cases of Bills included in the 2d Class all Notices shall contain the Names of the Parishes, Townships, Townlands and extra-parochial places from, in, through, or into which the Work is intended

20.

The word "and" between "Owner" and "Occupier" has been substituted for "or," to insure Notice being also given to an Occupier, who is often more affected than the Owner.

22.

Such part of this Order as required the deposit of Plans on or before the 1st of March, has been omitted. (*See* Observation on No. 15.)

23.

This Order has been amended, to prevent the necessity of an additional Plan of Buildings, &c., on a scale of a Quarter of an Inch to every 100 Feet, where the whole of the Plan is on that scale.

Committee on Petitions.

intended to be made, maintained, varied, extended or enlarged, and shall state the time and place of deposit of the Plans, Sections and Books of Reference respectively, with the Clerks of the Peace, Parish Clerks, Schoolmasters, Town Clerks and Postmasters, as the case may be. (*See* Nos. 22 & 26.)

22.

Plans, &c. with Clerk of the Peace.

That a Plan, and also a duplicate of such Plan, on a scale of not less than Four Inches to a Mile, be deposited for public inspection at the office of the Clerk of the Peace for every County, Riding or Division in *England* or *Ireland*, or in the Office of the Principal Sheriff Clerk of every County in *Scotland*, in or through which the Work is proposed to be made, maintained, varied, extended or enlarged, on or before the 30th day of *November*, immediately preceding the Session of Parliament in which Application for the Bill shall be made: which Plans shall describe the line or situation of the whole of the Work, and the Lands in or through which it is to be made, maintained, varied, extended or enlarged, or through which every communication to or from the Work shall be made, together with a Book of Reference containing the Names of the Owners or reputed Owners, Lessees or reputed Lessees, and Occupiers of such Lands respectively; and in the case of Bills relating to Turnpike Roads, Cuts, Canals, Reservoirs, Aqueducts and Railways, a Section and Duplicate thereof, as hereinafter described, shall likewise be deposited with such Plan and Duplicate.

23.

Lands within Deviation to be on Plan.

That where it is the intention of the parties to apply for powers to make any lateral deviation from the line of the proposed Work, the limits of such deviation shall be defined upon the Plan, and all Lands included within such limits shall be marked thereon, and that in all cases, excepting where the whole of such Plan shall be upon a scale of not less than a *Quarter* of an *Inch* to every 100 Feet, an additional Plan of any Building, Yard, Court-Yard or Land within the curtilage of any Building, or of any Ground cultivated as a Garden, either on the original line or included within the limits of the said deviation, shall be laid down on the said Plan or on the additional Plan deposited therewith, upon a scale of not less than a *quarter* of an *inch* to every 100 feet. (*See* Fig. 3.)

Buildings, &c. on enlarged Scale.

24. That

Committee on Petitions.

24.

Section.

THAT the Section be drawn to the same horizontal scale as the Plan, and to a vertical scale of not less than *one inch* to every 100 feet, and shall show the surface of the ground marked on the Plan, and the intended level of the proposed Work, and a datum horizontal line, which shall be the same throughout the whole length of the work, or any Branch thereof respectively, and shall be referred to some fixed point stated in writing on the Section, near either of the Termini. (*See* Line D D, Fig. 2.)

25.

Clerks of Peace to indorse a Memorial on Plans, &c.

THAT the Clerks of the Peace or Sheriff Clerks, or their respective Deputies, do make a Memorial in writing upon the Plans, Sections and Books of Reference so deposited with them, denoting the time at which the same were lodged in their respective offices, and do at all seasonable hours of the day permit any person to view and examine one of the same, and to make copies or extracts therefrom; and that *one* of the two Plans and Sections so deposited, be sealed up and retained in the possession of the Clerk of the Peace or Sheriff Clerk until called for by order of one of the Two Houses of Parliament. (*See* Appendix, Act 1 Vict. c. 83.)

26.

Plan and Section with Parish Clerk, &c.

THAT on or before the 31st day of *December*, a copy of so much of the said Plans and Sections as relates to each Parish in or through which the Work is intended to be made, maintained, varied, extended or enlarged, (*see* Fig. 5.), together with a Book of Reference thereto, be deposited with the Parish Clerk of each such Parish in *England*, the Schoolmaster of each such Parish in *Scotland*, (or in Royal Burghs with the Town Clerk,) and the Postmaster of the Post-town in or nearest to such Parish in *Ireland*. (*See* Appendix, Act 1 Vict. c. 83.)

27.

Time for Deposit in Private Bill Office.

THAT on or before the 31st day of *December*, a copy of the said Plans, Sections and Books of Reference be deposited in the Private Bill Office of this House.

28. THAT

26.

Such part of this Order as required Deposit of Plans with Parish Clerks, &c., on or before 1st April, has been omitted. (*See* Observation on No. 15.)

27.

Such part of this Order as required Deposit of Plans, &c., in Private Bill Office has been omitted. (*See* Observation on No. 15.)

30.

In this Order the words "nature of such Control" have been substituted for "particulars of such Control."

31 and 32.

Before formed one Order, the latter portion of which, now 32, has been amended, to conform to the alterations in the business of the Courts to which it refers.

Committee on Petitions.

28.

Estimate and Subscription Contract.

THAT an Estimate of the Expense be made and signed by the person making the same, and that a Subscription be entered into under a Contract, made as hereinafter described, to *three-fourths* the amount of the Estimate. (*See* as to depositing Estimate and Subscription Contract in Private Bill Office, p. 51, No. 117.)

29.

Cases wherein Declaration may be substituted for Subscription Contract.

THAT in cases where the Work is to be made by means of Funds, or out of Money to be raised upon the credit of present Surplus Revenue, under the control of Directors, Trustees, or Commissioners, as the case may be, of any existing Public Work, a Declaration stating those facts, and setting forth the nature of such control, and the Nature and Amount of such Funds or Surplus Revenue, and given under the common seal of the Company, or under the hand of some authorized Officer of such Directors, Trustees or Commissioners, may be substituted in lieu of the Subscription Contract, and in addition to the estimate of the expense. (*See* as to depositing Subscription Contracts in Private Bill Office, p. 51, No. 117.)

30.

Cases wherein Declaration and Estimate of Amount of Rates may be substituted for Subscription Contract.

THAT in cases where the Work is to be made out of Money to be raised upon the Security of the Rates, Duties or Revenue to be created by or to arise under any Bill, under which no private or personal pecuniary profit or advantage is to be derived, a Declaration stating those facts, and setting forth the means by which Funds are to be obtained for executing the Work, and signed by the Party or Agent soliciting the Bill, together with an Estimate of the probable Amount of such Rates, Duties or Revenue, signed by the Person making the same, may be substituted in lieu of the Subscription Contract, and in addition to the estimate of the expense. (*See* as to depositing Estimate and Subscription Contract in Private Bill Office, p. 51, No. 117.)

31.

Contract to contain Christian and Surnames of Parties.

THAT every Subscription Contract contain the Christian and Surnames, Description and Place of Abode of every Subscriber; his Signature to the amount of his Subscription, with the amount which he has paid up; and the Name of the Party witnessing such Signature and the date of the same respectively.

Committee on Petitions.

32.

One-tenth part of amount subscribed to be deposited, and Shares of Three-fourths of Subscribers to be paid up.

THAT previous to the presentation of a Petition for a Bill, a sum equal to *one-tenth* part of the amount subscribed shall be deposited with the Court of Chancery in *England*, if the work is intended to be done in *England*, or with the Court of Chancery in *England* or the Court of Exchequer in *Scotland*, if such work is intended to be done in *Scotland*, and with the Court of Chancery in *Ireland*, if such work is intended to be done in *Ireland*; and that not less than *three-fourths* in number of the Subscribers shall pay up their Shares of such Deposit. (*Vide* Appendix C.)

33.

Not valid unless entered into subsequent to close of previous Session.

THAT no Subscription Contract shall be valid unless it be entered into subsequent to the close of the Session of Parliament previous to that in which application is made for leave to bring in the Bill to which it relates, and unless the Parties subscribing to it bind themselves, their Heirs, Executors and Administrators, for the Payment of the Money so subscribed.

34.

Copies of Subscription Contract, or of Declaration, &c., to be printed, and delivered in Vote Office.

THAT previous to the presentation of a Petition for a Bill, copies of the Subscription Contract, with the Names of the Subscribers arranged in alphabetical order, and the amount of the Deposit respectively paid up by each such Subscriber, or where a Declaration and Estimate of the probable amount of Rates and Duties are substituted in lieu of a Subscription Contract, Copies of such Declaration or of such Declaration and Estimate be printed at the expense of the Promoters of the Bill, and be delivered at the Vote Office for the use of the Members of the House.

35.

Notice to Owners, &c. when the Bill is to abridge any Public Work.

THAT previous to the presentation of a Petition for a Bill whereby any part of a Work authorized by any former Act is intended to be relinquished, Notice in writing of such Bill be given to the Owners or reputed Owners and Occupiers of the Lands in which the part of the said Work intended to be thereby relinquished is situate.

Cuts,

Committee on Petitions.

Cuts, Canals, Reservoirs, Aqueducts and Navigations.

36.

THAT in all cases where it is proposed to divert into any intended Cut, Canal, Reservoir, Aqueduct, or Navigation, or into any intended variation, extension, or enlargement thereof respectively, any water from any existing Cut, Canal, Reservoir, Aqueduct, or Navigation, whether directly or derivatively, and whether under any agreement with the Proprietors thereof or otherwise, the notices shall contain the name of every such existing Cut, Canal, Reservoir, Aqueduct or Navigation, the waters supplying which, by virtue of any Act of Parliament, will either directly or derivatively, flow or proceed into any such intended Cut, Canal, Reservoir, Aqueduct, or Navigation, or into any intended variation, extension or enlargement thereof.

When it is intended to divert Water from an existing Cut, &c. into an intended Cut, &c., the name of the existing Cut, &c. to be mentioned.

37.

THAT in all cases where it is proposed to make, vary, extend or enlarge any Cut, Canal, Reservoir, Aqueduct or Navigation, the Plan shall describe the Brooks and Streams to be directly diverted into such intended Cut, Canal, Reservoir, Aqueduct or Navigation, or into any variation, extension or enlargement thereof respectively for supplying the same with Water; it shall also exhibit the height of the several embankments, and the depth of the several Cuttings respectively, on a scale specified thereon (*see* Fig. 1); and in cases of Bills for improving the navigation of any River, there shall be a Section which shall specify the Levels of both Banks of such River, and where any alteration is intended to be made therein, it shall describe the same by feet and inches.

Plan to describe Brooks, &c. to be diverted.

Railways.

38.

THAT in all cases where it is proposed to make, vary, extend or enlarge any Railway, the Plan shall exhibit thereon the height of the several Embankments, and the depth of the several Cuttings respectively, on a scale specified thereon. (*See* Fig. 1.)

Plan of Railway to show Embankments and Cuttings.

39.

THAT in every Section of a Railway, the Line marked thereon shall correspond with the upper surface of the Rails. (*See* Line S. S., Fig. 2.)

Line of Railway on Section to correspond with upper surface of Rails.

Committee on Petitions.

40.

Vertical Measures to be marked at change of gradient.

THAT a vertical measure from the datum line to the line of the Railway shall be marked in feet and inches at each change of the gradient or inclination (*see* E. F., Fig. 2), and that the proportion or rate of inclination between each such change shall also be marked. (*See* G. G. in Fig. 2.)

41.

Height of Railway, over or under surface, to be marked at every crossing of a Road, &c.

THAT the height of the Railway over or under the surface of every Turnpike Road, public Carriage Road, navigable River, Canal or Railway, or junction with a Railway, shall be marked in figures at every crossing thereof (*see* I. I. I., Fig. 2); and if there shall be no such crossing in every half mile, then the height over or under the surface of the ground shall be marked once in that space (*see* O. O. O., Fig. 2); and if any alteration in the present level or rate of inclination of any Turnpike Road, Carriage Road or Railway be intended, then the same shall be stated on the said Section. (*See* P. Fig. 2.)

42.

Tunnelling and Archway to be marked.

THAT where tunnelling as a substitute for open cutting, or arching as a substitute for solid embankment, be intended, the same shall be marked both on the Plan and Section. (*See* Q. R., Figs. 1 and 2.)

Letters Patent.

43.

Name of Invention to be prefixed in Capitals to Notice.

THAT in cases of Bills for confirming or prolonging the terms of Letters Patent, each Notice shall have prefixed to it in Capital Letters the name by which the Invention is usually distinguished, and shall contain a distinct description of the Invention for which such Letters Patent have been obtained, and also an account of the Term of their Duration.

43 and 44,

In the old Orders, providing for making deviation in Railway after the deposit of Plans in March and April, and the renewal of application to Parliament in a subsequent Session, have been omitted. (*See* Observation on No. 15.)

44.

This Order has been re-drawn, to render more clear what is the duty of the Select Committee on Standing Orders.

45.

The Duty prescribed by this Order has been hitherto performed by the Select Committee on Petitions for Private Bills; but as the object of their institution is only to ascertain facts by inquiry, and to report them to The House, that The House may decide (through the medium of the Select Committee on Standing Orders) upon the propriety of dispensing with the Standing Orders, any adjudication upon the dispensation of a Sessional Order is foreign to the purpose for which the Committee on Petitions is appointed, but is quite analogous to the duties of the Select Committee on Standing Orders.

Committee on Standing Orders.

DUTY OF THE SELECT COMMITTEE ON STANDING ORDERS.

44.

THAT all Reports of the Select Committee on Petitions for Private Bills, in which they shall report that the Standing Orders have not been complied with, be referred to the Select Committee on Standing Orders, who shall report to The House whether such Standing Orders as have not been complied with, ought or ought not to be dispensed with, and whether in their opinion the parties should be permitted to proceed with their Bill, or any portion thereof, and under what (if any) conditions.

Reports that Standing Orders have not been complied with, to be referred to Committee on Standing Orders, who shall report opinion thereon.

45.

THAT all Petitions for leave to dispense with any of the Sessional Orders of The House relating to Private Bills, be referred to the Select Committee on Standing Orders, who shall report to The House whether such Sessional Orders ought or ought not to be dispensed with.

Petitions for leave, &c. to be referred to Committee on Standing Orders, who shall report thereon.

49.

This is a new Order, for the guidance of the Committee of Selection in the appointment of the Committee on the Bill.

Committee of Selection.

DUTY OF THE COMMITTEE OF SELECTION.

46.

THAT the Committee of Selection shall refer every Private Bill referred to them, when it be opposed, to the Speaker's List of that County or that Division of a County to which the Bill specially relates, and to such number of Members not locally interested in the Bill as the circumstances of the case shall in their judgment require.

Opposed Bill to be referred to Speaker's List, &c.

47.

THAT the Committee of Selection shall in each case direct what number of the Members (not locally interested in the Bill) selected and added to the Speaker's List by them, shall be a quorum of such Members.

Quorum of Selected Members.

48.

THAT the Committee of Selection shall, after the name of any Member shall have been added by them to the Speaker's List, direct the Clerk attending them to give notice as soon as possible to such Member of his name having been so added, and of the time when the Committee on the Bill shall have been appointed to meet.

Notice to selected Members.

49.

THAT the Committee of Selection shall consider no Bill as an opposed Private Bill where no Petition has been presented in which the Petitioners pray to be heard by themselves, their Counsel or Agents, unless in cases where the Chairman of Ways and Means shall have reported to The House that in his opinion any Bill should be so treated.

What Bills not to be considered opposed.

50.

THAT the Committee of Selection shall refer every unopposed Private Bill referred to them, and which shall have originated in this House, to the Chairman of the Committee of Ways and Means, together with the Members ordered to prepare and bring

Unopposed Bills to be referred to the Chairman of Ways and Means, &c.

Committee of Selection.

in the Bill; and shall refer every unopposed Private Bill referred to them, which shall have been brought from the House of Lords, to the Chairman of the Committee of Ways and Means, together with not less than *Two* other Members, to be named by the Committee of Selection.

51.

Committee of Selection to appoint First Sitting of Committee.

THAT the Committee of Selection shall, subject to the order that there be *Seven* clear days between the Second Reading of every Private Bill and the Sitting of the Committee thereupon, fix the time for holding the *First Sitting* of every Committee on a Private Bill referred to them; but in the case of unopposed Private Bills, after communication with the Members who are to form the Committee on such Bill.

52.

Postponement of First Sitting.

THAT no Postponement of the First Sitting of any Committee on a Private Bill shall take place, unless such Postponement, and the Duration of it, shall have been sanctioned by the Committee of Selection.

Committee on the Bill.

DUTY OF THE COMMITTEE ON THE BILL.

Orders specially relating to the Committee on an Opposed Bill.

53.

That each Member appointed to serve as a Member of a Committee on an opposed Private Bill, whether he be on the Speaker's List or one of the Selected Members, before he be entitled to attend and vote on such Committee, shall (according to the class to which he may belong) sign one of the following Declarations. Members of Committee to sign Declaration.

54.

That the following shall be the several Forms of Declaration :— Declaration of Member on Speaker's List.

No. 1.—Declaration of a Member whose name is on the List prepared under the direction of Mr. Speaker for . . .

I, A. B., being one of the Members whose name is on the List prepared under the direction of Mr. Speaker, to which List the Bill for . . . . . has been committed, do hereby declare, That I will never vote on any question which may arise without having duly heard and attended to the Evidence relating thereto.

Memorandum.—*The Declaration, signed as aforesaid, must be delivered to the Clerk of the Committee on the Bill before the Committee shall proceed to appoint a Chairman, otherwise the Member signing the same shall not be entitled to attend or vote.*

No. 2.—The Declaration of a Member whose name has been added to the List prepared under the direction of Mr. Speaker by the Committee of Selection, his constituents having no local interest in the Bill for . . . . . Declaration of selected Member.

I, C. D., being one of the Members selected and added to the List by the Committee of Selection, to which List the Bill for . . . . . has been committed, do hereby declare, That my constituents have no local interest, and

Committee on the Bill.

and that I have no personal interest in such Bill; and that I will never vote on any question which may arise without having duly heard and attended to the Evidence relating thereto.

MEMORANDUM.—*The Declaration, signed as aforesaid, must be delivered to the Clerk of the Committee on the Bill before the Committee shall proceed to appoint a Chairman, otherwise the Member signing the same shall not be entitled to attend or vote.*

55.

Form of Declaration supplied by Clerk.

THAT the Committee Clerk shall furnish to each Member appointed to serve on a Committee on a Private Bill, who shall apply for the same, a Form of one of the above Declarations, according to the class to which the Member may belong; and that such application shall be made to the Committee Clerk, either in the Committee Clerks' Office, previous to the time when the Committee shall have been appointed to meet, or in the Committee Room, previous to the door thereof being locked, as hereinafter directed.

56.

When Member not entitled to attend or vote.

THAT no Member shall be entitled to attend or vote in a Committee on an opposed Private Bill, who shall not have delivered his Declaration to the Clerk, previous to the time when the door of the Committee-room shall be locked for the appointment of the Chairman, and who shall not have been present at such appointment.

57.

Quorum to be always present.

THAT Five Members (including the Quorum of Selected Members) shall be the Quorum of every Committee on an opposed Private Bill, and that no such Committee shall proceed to business, or continue their inquiry or deliberations, unless such number of Members appointed and duly qualified to serve on such Committee shall be present.

58.

When Proceedings of Committee to commence.

THAT so soon after the expiration of *ten minutes*, and not sooner, after the time appointed for the first sitting of a Committee on an opposed Private Bill, as there shall be present at least *Five*

56.

The latter provision in this Order is new, to prevent the recurrence of the question, whether a Member having signed his Declaration on the day previous to the first sitting of the Committee, and who had not been present at the appointment of the Chairman, has a right to attend and vote during the proceedings of the Committee.

59.

This is an Order made in The House during the present Session.

Committee on the Bill.

Five Members appointed and duly qualified to serve on such Committee (including a quorum of Selected Members), the Clerk shall direct the Messenger in attendance on the Committee to clear the room of all strangers, and to lock the door of the Committee Room; and the Members then present shall proceed to appoint a Chairman.

59.

Chairman to be a Selected Member.

THAT the Member to be appointed the Chairman of each Committee on an opposed Private Bill shall be one of the Selected Members.

60.

Proceedings to be suspended if Quorum not present.

THAT if at any time during the sitting of the Committee a quorum of the Selected Members shall not be present, the Chairman of the Committee shall suspend the proceedings of such Committee until such quorum shall be present; and that if at the expiration of *one hour* from the time fixed for the meeting of the Committee, or from the time when the Chairman shall so have suspended the proceedings of such Committee, a quorum of the Selected Members shall not be present, the Chairman shall *adjourn* the Committee until Twelve of the clock of the day on which The House shall next meet, and report to The House the circumstances of the Case.

61.

Absence of Quorum by Death or otherwise to be reported.

THAT if at any time after the Committee on a Bill shall have been formed, a quorum of Members required by the Standing Orders cannot attend in consequence of any of the Members who shall have duly qualified to serve on such Committee having become incompetent to continue such service by having been placed on an Election Committee, or by death or otherwise, the Chairman shall report the circumstances of the case to The House, in order that such measures may be taken by The House as shall enable the Members still remaining on the Committee to proceed with the business referred to such Committee, or as the exigency of the case may require.

62.

Petition against Bill not to be considered except grounds of

THAT no Petition against a Private Bill be taken into consideration by the Committee on such Bill, which shall not distinctly specify the ground on which the Petitioners object to any of

Committee on the Bill.

objection sufficiently specified.

of the provisions thereof; and that the Petitioners be only heard on such grounds so stated; and if it shall appear to the said Committee, that such grounds are not specified with sufficient accuracy, the Committee may direct that there be given in to the Committee a more specific Statement, in writing, but limited to such grounds of Objection so inaccurately specified.

63.

Petition against Bill to be presented three days before first day appointed for meeting.

THAT no Petitioners against any Private Bill shall be heard before the Committee on the Bill, unless the Petition shall have been presented to this House *Three* clear *days* before the day appointed for the first meeting of such Committee, unless the Petitioners shall complain of any matter which may have arisen during the progress of the Bill before the said Committee.

ORDERS specially relating to the COMMITTEE on an UNOPPOSED BILL.

64.

What Chairman to be appointed.

THAT the Chairman of the Committee of Ways and Means shall be the Chairman of the Committee on every unopposed Private Bill (not being a Divorce Bill), and that such Chairman and one of the other Members of the Committee shall be the Quorum thereof.

65.

Chairman at liberty to report that any Bill should be treated as opposed.

THAT the Chairman of the Committee on every unopposed Private Bill (not being a Divorce Bill), shall be at liberty, at any period after such Bill shall have been referred to him and the other Members of the Committee, to report his opinion to The House (if he shall think fit), that such Bill should be treated as an opposed Private Bill; in which case such Bill shall be again referred to the Committee of Selection, and shall be dealt with by them as an opposed Private Bill.

66.

Filled-up Bills to be laid before Chairman and Committee.

THAT a filled-up Bill, signed by the Agent for the Bill, as proposed to be submitted to the Committee, be laid by him before such Chairman at the time of giving notice of the meeting of the Committee on the Bill, and that similar copies be also laid by the Agent for the Bill before the other Members of the said Committee *Three days* at the least before the *First Meeting* thereof.

Committee on the Bill.

ORDERS relating to COMMITTEES on BILLS, whether OPPOSED or UNOPPOSED.

67.

Names of Members to be entered on Minutes.

THAT the names of the Members attending each Committee be entered by the Clerk on the Minutes of the Committee; and if any Division shall take place in the Committee, the Clerk do take down the names of Members voting in any such Division, distinguishing on which side of the question they respectively vote, and that such Lists be given in with the Report to The House.

68.

Committee on Bill not to inquire into certain Standing Orders.

THAT no Committee shall have power to examine into the compliance or non-compliance with such Standing Orders as are directed to be proved before the Select Committee on Petitions for Private Bills, unless by special order of The House.

69.

Standing Orders and Consents may be proved on Affidavit.

Scotland.

THAT in the case of any Private Bill relating to *Scotland*, the Committee may admit proof of the compliance with the Standing Orders of this House, and of the Consents of Parties concerned in interest in such Private Bill, on the production of Affidavits sworn before any Sheriff Depute or his Substitute there, whose Certificate shall be admitted as evidence of such proof having been made, unless the Committee shall require further evidence.

70.

Standing Orders and Consents may be proved on Affidavit.

Ireland.

THAT in the case of any Private Bill relating to *Ireland*, the Committee may admit proof of the compliance with the Standing Orders of the House, and of the Consents of Parties concerned in interest in such Private Bill, on the production of Affidavits sworn before any Judge or Assistant Barrister of that part of the United Kingdom, whose Certificate shall be admitted as evidence of such proof having been made, unless the Committee shall require further evidence.

71.

Consents in all other Cases.

THAT in all other instances, the Committee may admit proof of the Consents of Parties concerned in interest in any Private Bill, on the production of Certificates in writing of such Parties, whose Signature to such Certificate shall be proved by *one* or more Witnesses, unless the Committee shall require further Evidence.

Committee on the Bill.

72.

Clause compelling payment of Subscriptions, and to take Security from Treasurers, &c.

THAT in all Bills presented to The House for carrying on any Work by means of a Company, Commissioners or Trustees, Provision be made for compelling Persons who have subscribed any Money towards carrying any such Work into execution, to make payment of the Sums severally subscribed by them, and also to oblige the Company, Commissioners or Trustees to take Security from their Treasurer, Receiver or Collector for the faithful execution of his office.

73.

Account of Receipts and Expenditure to be annually transmitted to Clerk of the Peace, &c.

THAT in all Bills, whereby any parties are authorized to levy Fees, Tolls or other Rate or Charge, a Clause be inserted, enacting, that an Annual Account, in Abstract, be prepared of the total Receipts and Expenditure of all Funds levied under such Bill for the past year, under the several distinct heads of Receipts and Expenditure, with a Statement of the Balance of the said Account, duly audited and certified by the Directors, Managers, or Auditors thereof; and that a Copy of such Annual Account be transmitted, free of Charge, to the Clerk of the Peace, (or in Scotland to the Sheriff Clerk) for the County, or to the Clerk of the City or Borough within which the Chief Office for the management of such Funds shall be situated, on or before the *Thirty-first* day of *January* in each year, under a sufficient Penalty for not preparing and sending in the said Account, to be levied by summary process; the said Account to be open at all seasonable hours to the inspection of the Public upon payment of a Fee.

74.

Level of Roads.

THAT where the level of any Road shall be altered in making any Public Work, the ascent of any Turnpike Road shall not be more than one foot in 30 feet; and of any other public Carriage Road not more than one foot in 20 feet; and that a good and sufficient fence, of four feet high at the least, shall be made on each side of every Bridge which shall be erected.

Fence to Bridges.

75.

Plan, &c. to be signed by Chairman.

THAT every Plan, and Book of Reference thereto, which shall be produced in evidence before the Committee upon any Private Bill (whether the same shall have been previously lodged in the Private Bill Office, or not,) shall be signed by the Chairman of such Committee with his Name at length; and he shall

shall also mark with the Initials of his Name every Alteration of such Plan and Book of Reference, which shall be agreed upon by the said Committee; and every such Plan and Book of Reference shall thereafter be deposited in the Private Bill Office. Committee on the Bill.

76.

That the Chairman of the Committee do sign, with his Name at length, a printed Copy of the Bill (to be called the Committee Bill) on which the Amendments are to be fairly written; and also sign, with the Initials of his Name, the several Clauses added in the Committee. Committee Bill and Clauses to be signed by Chairman.

77.

That the Chairman of the Committee, upon the Report of every Private Bill, do acquaint The House, that the Allegations of the Bill have been examined; and whether the Parties concerned have given their Consent, (where such Consent is required by the Standing Orders,) to the satisfaction of the Committee. Chairman to report on allegations of Bill, &c.

78.

That every Committee to whom any Private Bill shall have been referred shall report the Bill to The House, whether such Committee shall or shall not have agreed to the Preamble, or gone through the several Clauses, or any of them. Committee to report Bill in all cases.

79.

That the Minutes of the Committee on every Private Bill be brought up and laid on the Table of The House, with the Report of the Bill. Minutes of Committee.

Railway Bills.

80.

That in the case of a Railway Bill, no Company shall be authorized to raise, by Loan or Mortgage, a larger sum than *One-third* of their capital; and that, until *Fifty per cent.* on the whole of the capital shall have been paid up, it shall not be in the power of the Company to raise any Money by Loan or Mortgage. Restrictions as to Mortgage.

81.

That where the level of any Road shall be altered in making any Railway, the ascent of any Turnpike Road shall not be more than one foot in 30 feet; and of any other public Carriage Road Level of Roads.

Committee on the Bill.

Fence to Bridges.

Road not more than one foot in 20 feet; and that a good and sufficient fence, of four feet high at the least, shall be made on each side of every Bridge which shall be erected.

82.

Railways not to cross Turnpike Roads, &c., on same Level.

That no Railway whereon Carriages are propelled by Steam shall be made across any Turnpike Road or other public Carriageway on the level, unless the Committee on the Bill report that such a restriction ought not to be enforced, with the reasons and facts upon which their opinion is founded.

83.

That in the case of a Railway Bill, the Committee report specially:—

Capital.

1. The proposed Capital of the Company formed for the execution of the project, and the amount of any Loans which they may be empowered to raise by the Bill.

Shares, &c.

2. The amount of Shares subscribed for, and the Deposits paid thereon.

Names, &c. of Directors.

3. The Names and Places of Residence of the Directors or Provisional Committee, with the amount of Shares taken by each.

Local Shareholders.

4. The number of Shareholders who may be considered as having a local interest in the line, and the amount of Capital subscribed for by them.

Other parties, &c.

5. The number of other Parties, and the Capital taken by them.

Subscribers for 2,000*l.* and upwards.

6. The number of Shareholders subscribing for 2,000*l.* and upwards, with their Names and Residences, and the amount for which they have subscribed.

Present means of conveyance.

7. The sufficiency or insufficiency for Agricultural, Commercial, Manufacturing or other purposes, of the present means of conveyance, and of communication between the proposed termini, stating the present amount of traffic by land or water, the average charges made for Passengers and Goods, and time occupied.

Passengers, &c. expected.

8. The number of Passengers, and the weight and description of the Goods expected upon the proposed Railway.

Income expected.

9. The amount of Income expected to arise from the conveyance of Passengers and Goods, and in what proportion; stating also generally the description of Goods from which the largest revenue is anticipated.

10. Whether

Committee on the Bill.

10. Whether the proposed Railway be a complete and integral line between the termini specified, or a part of a more extended plan now in contemplation, and likely to be hereafter submitted to Parliament, and to what extent the calculations of remuneration depend on such contemplated extension of the line.

Whether Railway be a complete Line, or part of a more extended Plan.

11. Whether any, and what, competing lines of Railway there are existing, and whether any, and what, are in progress or contemplation, and to state, so far as circumstances will permit, in what respects the proposed line is superior or inferior to the other lines; but that no line of Railway be deemed a competing line in contemplation, unless the Plan, Section and Book of Reference for the same shall have been deposited with the Clerks of the Peace and in the Private Bill Office respectively, as required by the Standing Orders.

Competing Lines.

12. What planes on the Railway are proposed to be worked, either by assistant engines, stationary or locomotive, with the respective lengths and inclinations of such planes.

Assistant Engines.

13. Any peculiar engineering difficulties in the proposed line, and the manner in which it is intended they should be overcome.

Engineering difficulties.

14. The length, breadth, and height, and means of ventilation, of any proposed tunnels, and whether the strata through which they are to pass are favourable or otherwise.

Ventilation of Tunnels.

15. Whether in the lines proposed, the gradients and curves are generally favourable or otherwise, and the steepest gradient, exclusive of the inclined planes above referred to, and the smallest radius of a curve.

Gradients and Curves.

16. The length of the main line of the proposed Railway, and of its branches respectively.

Length of Line.

17. Whether it be intended that the Railway should pass on a level any Turnpike Road or Highway, and if so, to call the particular attention of The House to that circumstance.

Passing Highways on a level.

18. The amount of the estimates of the cost or other expenses to be incurred up to the time of the completion of the Railway, and whether they appear to be supported by evidence, and to be fully adequate for the purpose.

Estimates.

19. The estimated charge of the Annual Expenses of the Railway when completed, and how far the calculations on which the charge is estimated have been sufficiently proved.

Annual Expenses.

20. Whether

Revenue in reference to annual charge.

20. Whether the calculations proved in evidence before the Committee have satisfactorily established, that the Revenue is likely to be sufficient to support the Annual Charges of the maintenance of the Railway, and still allow profit to the Projectors.

Assents.

21. The number of assents, dissents and neuters upon the Line, and the length and amount of Property belonging to each class traversed by the said Railway, distinguishing Owners from Occupiers; and in the case of any Bill to vary the original Line, the above particulars with reference to such Parties only as may be affected by the proposed deviation.

Engineers examined.

22. The name of each Engineer examined in support of the Bill, and of any examined in opposition to it.

Petitions in opposition.

23. The main allegations of every Petition which may have been referred to the Committee in opposition to the Preamble of the Bill, or to any of its Clauses; and whether the allegations have been considered by the Committee, and if not considered, the cause of their not having been so.

Fitness in an engineering point of view, and any other circumstances.

And the Committee shall also report generally as to the fitness, in an engineering point of view, of the projected Line of Railway, and any circumstances which, in the opinion of the Committee, it is desirable The House should be informed of.

84.

That in all Railway Bills there be inserted the following Clauses:

Railway not to be proceeded with till certain Plans, &c. deposited.

"And be it further Enacted, That it shall not be lawful for the said Company to proceed in the execution of the said Railway hereinbefore authorized to be made unless the said Company shall have, previously to the commencement of such work, deposited with the Clerk of the Peace of the several counties in *England* or *Ireland*, and in the Office of the Principal Sheriff-Clerk in every county in *Scotland*, in or through which the said Railway hereby authorized to be made is intended to pass, a Plan and Section of all such alterations from the original Plan and Section as shall have been approved of by Parliament, on the same scale and containing the same particulars as the original Plan and Section of the Railway; and also with the Clerks of the several Parishes in *England*, the Schoolmasters of the several Parishes in *Scotland*, (or in Royal Burghs with the Town Clerk), and the Postmasters of the Post-towns in or nearest to such Parishes in *Ireland*, in or through which such alterations shall have been authorized

authorized to be made, copies or extracts of or from such Plans and Sections as shall relate to such Parishes respectively; and all persons interested shall have liberty to inspect and make extracts from or copies of the said Plans and Sections, or extracts or copies thereof, paying to the Officer having the custody of such Plan and Section, or of such extract or copy, the sum of One Shilling for every such inspection, and after the rate of Sixpence for every one hundred words copied therefrom."

Limiting Deviations from Datum Line described on the Section, &c.

"And be it further Enacted, That in making the said Railway it shall not be lawful for the said Company to deviate from the Levels of the said Railway as referred to the common Datum Line described on the Section so approved of by Parliament, and as marked on the same, to any extent exceeding in any place *Five Feet*, or in passing through Towns *Two Feet*, without the consent of the Owners, Lessees, and Occupiers of the Land in, through or over which such deviation is intended to be made; or in case any Street or public Carriage Road shall be affected by such deviation, then the same shall not be made without the consent of the Trustees or Commissioners, or, if there be no such Trustees or Commissioners, without the consent of *Two* or more Justices of the Peace in Petty Sessions assembled for that purpose, and acting for the district in which such Street or public Carriage Road may be situate, or without the consent of the Commissioners for any public Sewers, or the proprietors of any Canal or Navigation affected by such deviation; and that no increase in the inclination or gradients of the said Railway, as denoted by the said Section, shall be made in any place to an extent exceeding the rate of *Three Feet* per Mile; and where in any place it is intended to carry the Railway on an Arch or Arches, as marked on the said Plan or Section, the same shall be made accordingly; and where a Tunnel is marked on the said Plan or Section as intended to be made at any place, the same shall be made accordingly, unless the Owners, Lessees, and Occupiers of the Land in or through which such Tunnel is intended to be made shall consent that the same shall not be so made: Provided nevertheless, That it shall be lawful for the said Company, with such consent as aforesaid, and not otherwise, to make a Tunnel or an Arch or Arches as aforesaid not marked on the said Plan or Section, so that no such Tunnel shall be of greater length than *Two hundred Yards*, and that no two Tunnels be at a less distance from each other than *One hundred Yards* measured on the Line of the Railway: Provided always, That Notice of every Petty Sessions to be holden for the purpose of obtaining

Committee on the Bill.

obtaining such consent as aforesaid shall, *Fourteen Days* previous to the holding of such Petty Sessions, be given in some Newspaper circulating in the county, and also to be affixed upon the Church-door of the Parish in which such deviation or alteration is intended to be made, or if there be no Church, some other place to which Notices are usually affixed; and provided also, That for the purpose of consenting to any such deviation from the said Sections, and to any Tunnelling or Arching as aforesaid, the word "Owners" shall be deemed and taken to mean such persons as are herein capacitated to agree for the sale of and to convey Land for the making of the said Railway; and the consent of such persons, with or without the consent of any other persons interested as Owners in the said Lands, shall be deemed and taken to be sufficient for such purposes.

Limiting Alteration of Curves.

"And be it further Enacted, That it shall not be lawful to diminish the radius of any curve as described on the Plan deposited with the Clerk of the Peace, or Principal Sheriff-Clerk, unless such radius exceed one mile, nor to diminish it in any such case so that it shall become less than one mile, nor to diminish any greater radius by more than a quarter of a mile, unless where it exceeds two miles, or by more than half a mile, unless where it exceeds three miles on the said Plan."

Letters Patent.

85.

Copy of Letters Patent to be annexed to the Bill.

THAT when any Bill shall be brought into the House, for Confirming of Letters Patent, there be a true Copy of such Letters Patent annexed to the Bill.

Inclosure Bills.

86.

Notices and Allegations.

THAT in the case of any Bill for inclosing Lands, the Committee may admit proof of the Notices required by the Standing Orders, and of the Allegations in the Preamble of such Bill, by Affidavit taken and authenticated, according to the form prescribed in the Gen. Inc. Act. Schedule to the General Inclosure Act (41 GEO. III. c. 109,) unless such Committee shall otherwise order.

87.

Consent Bill and State-

THAT the Committee on every Bill for inclosing Lands shall in the first place, require the Agent soliciting the same to deliver in

87.

This is a new Order, confirming the present practice.

Committee on the Bill.

in to the Committee a printed Copy of the Bill, signed by the Lord of the Manor, and by such Owners of Property within the Parish to which the Bill relates as shall have assented thereto; but that the Parties, if they shall think fit, be permitted to deliver in different Copies of the Bill, separately signed by the several Parties hereinbefore mentioned, instead of one Copy, signed by all of them collectively; together with a List of all the Owners of Property within such Parish, showing the value according to the Poor Rate or Land Tax Assessment of each Owner's Property therein, and distinguishing which of them have assented, dissented, or are neuter in respect thereto.

ment of Property to be delivered in.

88.

Clause for leaving open Space for exercise and recreation.

That in every Bill for inclosing Lands, provision be made for leaving an open space in the most appropriate situation, sufficient for purposes of exercise and recreation of the neighbouring population; and that the Committee on the Bill have before them the number of acres proposed to be inclosed, as also of the population in the parishes or places in which the land to be inclosed is situate; and also do see that provision is made for the efficient fencing of the allotment, for the investment of the same in the Churchwardens and Overseers of the parish in which such open space is reserved, and for the efficient making and permanent maintenance of the fences by such parish; and that in any case where the information hereby required is not given, and the required provisions are not made in the Bill, the Committee on the same do report specially to The House the reasons for not complying with such Order.

89.

Consent Bill to contain Names of Commissioners, and Compensations for Manorial Rights, Tithes, and Enfranchisements.

That in every Bill for inclosing Lands, the Names of the Commissioners proposed to be appointed, and the Compensation intended for the Lord of the Manor, and the Owners of Tithes, in lieu of their respective Rights, and also the Compensation intended to be made for the enfranchisement of Copyholds, where any Bargains or Agreements have been made for such Compensations, be inserted in the Copy of the Bill presented to The House: And that all Copies of such Bills which shall be sent to any of the Persons interested in the said Manor, Tithes, Lands or Commons, for their Consent, do contain the Names of such proposed Commissioners, and also the Compensations so bargained or agreed for.

Committee on the Bill.

90.

Disqualification of certain Persons as Commissioners, Surveyors, &c.

THAT no Person shall be named in any Bill for inclosing Lands as a Commissioner, Umpire, Surveyor or Valuer, who shall be interested in the Inclosure to be made by virtue of such Bill; or the Agent ordinarily intrusted with the care, superintendence, or management of the Estate of any Person so interested.

91.

Clauses for settling Pay of Commissioners, and passing their Accounts.

THAT in every Bill for inclosing, draining or improving Lands there be inserted a Clause, providing what sum of Money in the whole, or by the day, shall be paid to each of the Commissioners to be appointed by such Bill, in satisfaction of the expense and trouble which he shall incur in the execution of the powers thereby given; and that there be also inserted in such Bill a Clause, providing that the Account of such Commissioner or Commissioners, containing a true statement of all Sums by him or them received and expended or due to him or them for their own trouble or expenses, shall, at least once in every year, from the date of the passing of the Act till such Accounts shall be finally allowed, together with the Vouchers relating to the same, be examined by some Person or Persons to be appointed by the Bill, and the Balance by him or them stated in the Book of Accounts required to be kept in the Office of the Clerk of such Commissioners; and that no charge or item in such Accounts shall be binding on the Parties concerned, or be valid in law, unless the same shall be duly allowed by such Person or Persons.

Turnpike Roads (Ireland.)

92.

Clause for Qualification of Commissioners.

THAT in every Bill for making a Turnpike Road in Ireland, or for the continuing or amending any Act passed for that purpose, or for the increase or alteration of the existing Tolls, Rates or Duties upon any such Road, or for widening or diverting any such Road, a Clause be inserted, to prevent any Person who shall be nominated a Commissioner, from acting or voting in the business of the said Turnpike, unless he shall be possessed of an Estate in Land, or of a Personal Estate, to such certain value as shall be specified in such Bills; and that such Qualification be extended to the Heirs apparent of Persons possessed of an Estate in Land to a certain value to be specified.

Committee on Divorce Bill.

DUTY OF SELECT COMMITTEE ON DIVORCE BILLS.

93.

What Evidence to be given in Divorce Cases.

THAT the Select Committee on Divorce Bills shall require evidence to be given before them that an action for damages has been brought in one of Her Majesty's Courts of Record at Westminster, or in one of Her Majesty's Courts of Record in Dublin, or in one of Her Majesty's Supreme Courts of Judicature of the Presidencies of Calcutta, Madras, Bombay or the Island of Ceylon, respectively, against the persons supposed to have been guilty of Adultery, and judgment for the plaintiff had thereupon; or sufficient cause to be shown to the satisfaction of the said Committee why such action was not brought, or such judgment was not obtained.

94.

When Petitioner for Bill to attend Committee.

THAT the Select Committee on Divorce Bills shall, in all cases in which the Petitioner for the Bill has attended the House of Lords upon the Second Reading of the Bill, require him to attend before them to answer any questions they may think fit that he should answer.

95.

Committee to report Bill in all cases.

THAT the Select Committee on Divorce Bills shall report every such Bill to The House, whether such Committee shall or shall not have agreed to the Preamble, or gone through the several Clauses, or any of them.

III.

THE ORDERS REGULATING THE PRACTICE OF THE HOUSE WITH REGARD TO PRIVATE BILLS.

Practice of the House.

PRACTICE OF THE HOUSE WITH REGARD TO PRIVATE BILLS.

96.

That no Private Bill be brought into this House, but upon a Petition first presented, with a printed copy of the proposed Bill annexed: And that such Petition be signed by the Parties, or some of them, who are Suitors for the Bill.

Petition for Bill, and how to be signed.

97.

That all Petitions for Private Bills be presented within *Twenty-one* days after the *First Friday* in every Session of Parliament.

Petitions, when to be presented.

98.

That there be *Ten* clear days between the day on which the Petition for any Private Bill relating to *England* shall be presented, and the day on which the Sub-Committee shall sit thereupon; and *Fifteen* days, in case such Bill shall relate to *Scotland* or *Ireland*.

Time between presentation of Petition and Meeting of Sub-Committee.

99.

That every Private Bill printed on paper, of a size to be determined upon by Mr. Speaker, be presented to The House, with a Cover of Parchment attached to it, upon which the Title of the Bill is to be written; and the short Title of the Bill, as first entered on the Votes, shall be in accordance with the subject matter of the Bill, and shall not be changed unless by special order of The House.

Printed Bill to be presented.

100.

That the proposed amount of all Rates, Tolls, and other matters heretofore left blank in any Private Bill when presented to The House, be inserted in *Italics* in the printed Bill.

Rates, Tolls and other Matters to be inserted in Italic.

101.

That every Private Bill (except Divorce, Name, and Naturalization Bills) be printed; and printed copies thereof delivered to the door-keepers for the use of the Members before the First Reading.

What Bills to be printed, and when.

Practice of the House.

102.

Time between First and Second Reading.

THAT there be *Three* clear *days* between the First and Second Reading of every Private Bill.

103.

No Petition complaining of Standing Orders—subsequent to Second Reading of Bills.

THAT this House will not receive any Petition complaining solely of a non-compliance with the Standing Orders of The House in respect of any Private Bill, subsequently to the Second Reading of such Bill, unless in the case of those Standing Orders which must necessarily be taken into consideration by the Committee on the Bill.

104.

Second Reading not to take place till Two Months after last Notice.

THAT no Private Bill be read a *Second* time, until after the expiration of *Two calendar months* from the day the last Notice shall have been given in the Newspaper.

105.

Breviate to be prepared.

THAT a Breviate of every Private Bill be prepared under the direction of Mr. Speaker, and that such Breviate shall contain a Statement of the Object of the Bill and a Summary of the proposed Enactments, and shall state any variation from the general law which will be effected by the Bill, and whether the Title of the Bill is conformable to the order of Leave.

106.

Breviate to be laid on Table Three days before Second Reading of Bill.

THAT no Private Bill (except Divorce, Name, Naturalization, and Estate Bills, not relating to Crown, Church or Corporation Property, or Property held in trust for public or charitable purposes) be read a *Second* time until *Three* clear *days* after a Breviate thereof shall have been laid on the Table of the House, and have been printed.

107.

When Fees to be paid.

THAT no Private Bill, or Clause, for the particular interest or benefit of any Person or Persons, County or Counties, Corporation or Corporations, or Body or Bodies of People, be read a Second time, unless Fees be paid for the same.

108. THAT

105.

The latter part of this Order stood before in an Order under the head of "Private Bill Office," but it is transposed to this place, as the information communicated by the Breviate here mentioned would be defective without it.

110.

This is a new Order.

111.

This Order unites in one two of the old Orders, Nos. 109 and 110.

112.

This Order requires that every Bill (instead of every Bill in the Second Class) shall be printed as amended in Committee (except as provided), and delivered to the Door-keepers Three clear days before the consideration of the Report; and the Orders requiring notice of the Report, and Seven clear days between the Report and the consideration of it, have been omitted.

Practice of the House.

108.

All Bills referred to Committee of Selection.

THAT every Private Bill, not being a Divorce Bill, after having been read a Second time and committed, shall be referred to the Committee of Selection.

109.

Time between Second Reading and Committee.

THAT there be *Seven* clear *days* between the Second Reading of every Private Bill, and the sitting of the Committee thereupon.

110.

Report of Bill, when printed as amended, to lie on Table.

THAT the Report upon every Private Bill ordered to be printed as amended in Committee, shall lie upon the Table.

111.

Breviates of Bills amended in Committee to be laid before Chairman of Ways and Means, &c.

THAT a Breviate of the amendments made in every Committee on a Private Bill be submitted to the Chairman of the Committee of Ways and Means, and also laid upon the Table of the House at least the day previous to the consideration of the Report of such Bill.

112.

Bill to be printed after report.

THAT every Private Bill, as amended in Committee, excepting in the cases wherein the Committee shall report the amendments to be merely verbal or literal, be printed at the expense of the Parties applying for the same; and be delivered to the Door-keepers for the use of the Members, *Three* clear *days* at least before the consideration of the Report.

113.

Reports on Railway Bills to be discussed upon every Tuesday.

THAT in order to afford time for the proper discussion of the *Reports* on *Railway Bills* included in the second class, this House will upon *every Tuesday* proceed at *Five* o'clock to the consideration of Reports on such Bills.

114.

Bill not to proceed two stages on same day.

THAT no Private Bill shall pass through two stages on one and the same day without the special leave of The House.

115.

Notice to be given of motion for dispensation.

THAT (except in cases of urgent and pressing necessity) no motion be made to dispense with any Sessional or Standing Order of the House without due notice thereof.

IV.

THE ORDERS REGULATING THE PRACTICE IN THE PRIVATE BILL OFFICE.

Practice of the Private Bill Office.

PRIVATE BILL OFFICE.

116.

THAT a Book, to be called "THE PRIVATE BILL REGISTER," be kept in a Room, to be called "THE PRIVATE BILL OFFICE," in which Book shall be entered by the Clerks appointed for the business of that Office, the Name, Description and Place of Residence of the Parliamentary Agent in Town, and of the Agent in the Country (if any) soliciting the Bill; and all the Proceedings, from the Petition to the passing of the Bill:—Such Entry to specify, briefly, each day's Proceeding in the House, or in any Committee to which the Bill or Petition may be referred; the day and hour on which the Committee is appointed to sit; the day and hour to which such Committee may be adjourned, and the name of the Committee Clerk. Such Book to be open to public inspection daily, in the said Office, between the hours of Eleven and Six.

Private Bill Office and Register.

117.

THAT all Plans, Sections, Books of Reference, Lists of Owners and Occupiers, Estimates, Copies of the Subscription Contracts, and Declarations required by the Standing Orders of The House, be lodged in the Private Bill Office; and that the receipt thereof be acknowledged accordingly, by one of the Clerks of the said Office, upon the said Documents, and upon the Petition, before it is presented.

Plans, &c. to be lodged.

118.

THAT *Ten* clear *days'* notice in writing be given by the Agent soliciting the Bill to the Clerks in the Private Bill Office of the meeting of any *Sub-Committee* on a Petition for a Private Bill, and *One* clear *day's* notice of the meeting of any Sub-committee on an Estate Bill brought from the House of Lords.

Notice of Meeting of Sub-Committee on Petition, &c.

119.

THAT *One* clear *day's* notice in writing be given by the Agent soliciting the Bill, to the Clerks in the Private Bill Office, of the postponement of the first meeting of any Sub-Committee on a Petition for a Private Bill, or on an Estate Bill brought from the House of Lords.

Notice of Postponement of Sub-Committee.

Practice of the Private Bill Office.

120.

Examination Book.

THAT after each Private Bill has been read the First time, its Name (or short Title) shall be copied by the Clerks of the Private Bill Office, from the Clerk's Minute Book of the day, into a separate Book, to be called "THE EXAMINATION BOOK;"—wherein shall be noted the number of such Bill, according to the priority of its being read, and the date of the day of such First Reading.

121.

Custody of Bills.

THAT every Private Bill, after it has been read the First time, and the Title copied and examined for the Votes, be in the custody of the Clerks of the Private Bill Office, until laid upon the Table for the Second Reading; and when committed, be taken by the proper Committee Clerk into his charge, till reported.

122.

Examination of Bill and Breviate.

THAT between the First and Second Reading of every Private Bill, every such Bill shall, according to its priority, be examined, with all practicable despatch, by the Clerks of the Private Bill Office, as to its conformity with the Rules and Standing Orders of The House; and if *not* in due form, the Examining Clerk shall specify thereon the page in which any irregularity occurs, and shall enter the day of such Examination, together with his own name, in the Examination Book.

123.

Notice of Second Reading.

THAT *Three* clear *days'* Notice in writing be given by the Agent soliciting the Bill, to the Clerks in the Private Bill Office, of the day proposed for the Second Reading of every Private Bill.

124.

Notice of Committee.

THAT *Seven* clear *days'* Notice, and in the case of a re-committed Bill, *Three* clear *days'* Notice, in writing, be given by the Agent soliciting the Bill, to the Clerks in the Private Bill Office, of the day and hour appointed for the meeting of the Committee on every Private Bill; and that all Committee proceedings of which such notice shall not have been given, be void.

125.

Filled-up Bill, to be deposited in Private Bill Office.

THAT a filled-up Bill, signed by the Agent soliciting the Bill, as proposed to be submitted to the Committee on the Bill, (and in

122.

The part of this Order referring to a Breviate is omitted, being considered useless in this place.

in the case of a re-committed Bill, a filled-up Bill, as proposed to be submitted to the Committee on re-committal) be deposited in the Private Bill Office at the time of giving notice of the meeting of the Committee on every Private Bill; and that all Parties shall be entitled to a Copy thereof, upon payment of the Charges for making out Amendments of such Bill. Practice of the Private Bill Office.

126.

THAT *One* clear *day*'s notice in writing, countersigned by a Committee Clerk, be given by the Agent soliciting the Bill, to the Clerks in the Private Bill Office, of the postponement of the first meeting of any Committee on a Private Bill. Notice of Postponement.

127.

THAT Notice, in writing, be given by the Committee Clerk to the Clerks in the Private Bill Office, of the day and hour to which each Committee is adjourned. Notice of Adjournment.

128.

THAT *One* clear *day*'s notice, in writing, be given by the Agent soliciting the Bill, to the Clerks in the Private Bill Office, of the day proposed for the consideration of the Report of every Private Bill. Notice of consideration of Report.

129.

THAT the Committee Clerk, after the Report is made out, do deliver in to the Private Bill Office a printed Copy of the Bill, with the written Amendments made in the Committee; in which Bill, all the Clauses added by the Committee shall be regularly marked in those parts of the Bill wherein they are to be inserted. Bill as amended in Committee to be delivered in.

130.

THAT when it is intended to bring up any Clause or to propose any Amendment on the consideration of the Report, or on the Third Reading of any Private Bill, such Clause or Amendment shall be deposited, and notice given thereof, in the Private Bill Office, on the day previous to such consideration of the Report or Third Reading. Notice to be given of Clauses on consideration of Report or Third Reading.

131. THAT

Practice of the Private Bill Office.

131.

Notice of Third Reading.

THAT *One* clear *day*'s Notice, in writing, be given by the Agent soliciting the Bill, to the Clerks in the Private Bill Office, of the day proposed for the *Third Reading* of every Private Bill.

132.

Time for delivering Notices.

THAT all *Notices* required to be given in the Private Bill Office be delivered in the said Office before *Six* of the clock in the *Evening* of any day on which The House shall sit, and before *Two* of the Clock on any day on which The House shall not sit; and that after any day on which The House shall have adjourned, no Notice shall be given for the first day on which it shall again sit.

133.

Amendments on consideration of Report and Third Reading.

THAT the Amendments (if any) which are made upon the consideration of the Report and upon the Third Reading, be entered by one of the Clerks in the Private Bill Office, upon the printed Copy of the Bill as amended by the Committee; which Clerk shall sign the said Copy so amended, in order to its being deposited and preserved in the said Office.

134.

Examination of Ingrossments.

THAT to insure the Accuracy of the Ingrossment of all Private Bills, the Clerk of the House be required to provide a sufficient number of Clerks, to be called EXAMINERS of INGROSSMENTS.

135.

Certificate of Examination.

THAT no Private Bill be read a Third time, until a Certificate is indorsed upon the Paper Bill, and signed by one or more of the said Examiners of Ingrossments, declaring that the Ingrossment thereof has been examined, and agrees with the Bill, as amended in the Committee, and on the consideration of the Report.

136.

Notice of consideration of Lords' Amendments.

THAT when Amendments made by the House of Lords to any Private Bill sent up to them are to be taken into consideration, notice be given thereof in the Private Bill Office, the day previous to the same being proposed to be taken into consideration.

137. THAT

132.

This Order is made to apply to all Notices, instead of to the Notice of a Postponement of the Committee on a Bill only.

137.

Daily Lists of Committees sitting.

THAT the Clerks in the Private Bill Office do prepare, daily, Lists of all Private Bills, and Petitions for Private Bills upon which any Committee is appointed to sit; specifying the hour of meeting; and the Room where the Committee shall sit; and that the same be hung up in the Lobby of the House.

138.

Plans to be verified as Mr. Speaker shall direct.

THAT every Plan, and Book of Reference thereto, which shall be certified by The Speaker of the House of Commons, in pursuance of any Act of Parliament, shall previously be ascertained, and verified in such manner as shall be deemed most advisable by The Speaker, to be exactly conformable in all respects to the Plan and Book of Reference which shall have been signed by the Chairman of the Committee upon the Bill.

Appendix (A.)

Such part of this Form as referred to the months of March and April have been omitted, in pursuance of Resolution of The House during the present Session.

APPENDIX.

[Form referred to in Page 15.]

(A.)

No.

Sir,

We beg to inform you, that Application is intended to be made to Parliament in the ensuing Session for "An Act" [*here insert the Title of the Act*], and that the Property mentioned in the annexed Schedule, or some Part thereof, in which we understand you are interested as therein stated, will be required for the Purposes of the said Undertaking, according to the Line thereof as at present laid out, or may be required to be taken under the usual Powers of Deviation to the Extent of Yards on either side of the said Line which will be applied for in the said Act, and will be passed through in the Manner mentioned in such Schedule.

We also beg to inform you, that a Plan and Section of the said Undertaking, with a Book of Reference thereto, has been or will be deposited with the several Clerks of the Peace of the Counties of [*specify the Counties in which the Property is situate*], on or before the 30th of November, and that Copies of so much of the said Plan and Section as relates to the Parish in which your Property is situate, with a Book of Reference thereto, has been or will be deposited for public Inspection with the Clerk of the said Parish, Schoolmaster of the Parish, Town Clerk of the Royal Burgh, or the Postmaster of the Post Town in or near such Parish [*as the case may be*], on or before the 31st day of December instant, on which Plans your Property is designated by the Numbers set forth in the annexed Schedule.

As we are required to report to Parliament whether you assent to or dissent from the proposed Undertaking, or whether you are neuter in respect thereto, you will oblige us by writing your Answer of Assent, Dissent or Neutrality in the Form left herewith, and returning the same to us with your Signature on or before the day of next; and if there should be any Error or Misdescription in the annexed Schedule, we shall feel obliged by your informing us thereof, at your earliest convenience, that we may correct the same without delay.

We are, Sir,

Your most obedient servants,

SCHEDULE referred to in the foregoing Notice, and which is intended to show the Property therein alluded to, and the Manner in which the Line of the deposited Section will affect the same.

—	Parish, Township, Townland, or Extra-parochial Place.	Number on Plans.	Description.	Owner.	Lessee.	Occupier.	Description of the Section of the Line deposited, and of the greatest Height of Embankment and Depth of Cutting.
Property in the Line as at present laid out.							

—	Parish, Township, Townland, or Extra-parochial Place.	Number on Plans.	Description.	Owner.	Lessee.	Occupier.	
Property within the Limits of the Deviation intended to be applied for.							

Appendix (B.)

ANNO PRIMO VICTORIÆ REGINÆ.

Cap. LXXXIII.

AN ACT to compel Clerks of the Peace for Counties and other Persons to take the Custody of such Documents as shall be directed to be deposited with them under the Standing Orders of either House of Parliament.

WHEREAS the Houses of Parliament are in the habit of requiring that, previous to the introduction of any Bill into Parliament for making certain bridges, turnpike-roads, cuts, canals, reservoirs, acqueducts, waterworks, navigations, tunnels, archways, railways, piers, ports, harbours, ferries, docks and other works, to be made under the authority of Parliament, certain maps or plans and sections, and books and writings, or extracts or copies of or from certain maps, plans or sections, books and writings, shall be deposited in the office of the clerk of the peace for every county, riding or division in England or Ireland, or in the office of the sheriff clerk of every county in Scotland, in which such work is proposed to be made, and also with the parish clerk in every parish in England, the schoolmaster of every parish of Scotland, or in Royal Burghs with the town clerk, and the postmaster of the post town in or nearest to every parish in Ireland, in which such work is intended to be made, and with other persons: And whereas it is expedient that such maps, plans, sections, books, writings and copies or extracts of and from the same, should be received by the said clerks of the peace, sheriff clerks, parish clerks, schoolmasters, town clerks, postmasters and other persons, and should remain in their custody for the purposes hereinafter mentioned; BE it therefore Enacted by The Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, That whenever either of the Houses of Parliament shall by its Standing Orders, already made or hereafter to be made, require that any such maps, plans, sections, books or writings, or extracts or copies of the same, or any of them, shall be deposited as aforesaid, such maps, plans, sections, books, writings, copies and extracts shall be received by and shall remain with the clerks of the peace, sheriff clerks, parish clerks, schoolmasters, town clerks, postmasters and other persons with whom the same shall be directed by such Standing Orders to be deposited, and they are hereby respectively directed to receive and to retain the custody of all such documents and writings so directed to be deposited with them respectively, in the manner and for the purposes and under the rules and regulations concerning the same respectively directed by such Standing Orders, and shall make such memorials and endorsements on and give such acknowledgements and receipts in respect of the same respectively as shall be thereby directed.

Clerks of the Peace, &c. to receive the Documents herein mentioned, and retain them for the purposes directed by the Standing Orders of the Houses of Parliament.

II. And be it further Enacted, That all persons interested shall have liberty to, and the said clerks of the peace, sheriff clerks, parish clerks, schoolmasters, town clerks and postmasters, and every of them, are and is hereby required, at all reasonable hours of the day, to permit all persons interested to inspect during a reasonable time and make extracts from or copies of the said maps, plans, sections, books, writings, extracts and copies of or from the same, so deposited with them respectively, on payment by each person to the clerk of the peace, sheriff clerk, clerk of the parish, schoolmaster, town clerk or postmaster having the custody of any such map, plan, section, book, writing, extract or copy, One Shilling for every such inspection, and the further sum of One Shilling for every hour during which such inspection shall continue after the first hour, and after the rate of Sixpence for every One hundred words copied therefrom.

Clerks of the Peace, &c. to permit such Documents to be inspected or copied by persons interested.

III. And be it further Enacted, That in case any clerk of the peace, sheriff clerk, parish clerk, schoolmaster, town clerk, postmaster or other person, shall in any matter or thing refuse or neglect to comply with any of the provisions hereinbefore contained, every clerk of

Clerks of the Peace, &c. for every

omission to comply with the provisions of this Act, liable to the Penalty of 5 *l.* to be recovered in a summary way.

of the peace, sheriff clerk, parish clerk, schoolmaster, town clerk, postmaster or other person shall for every such offence forfeit and pay any sum not exceeding the sum of Five Pounds; and every such penalty shall, upon proof of the offence before any Justice of the Peace for the county within which such offence shall be committed, or by the confession of the party offending, or by the oath of any credible witness, be levied and recovered, together with the costs of the proceedings for the recovery thereof, by distress and sale of the goods and effects of the party offending, by warrant under the hand of such Justice, which warrant such Justice is hereby empowered to grant, and shall be paid to the person or persons making such complaint; and it shall be lawful for any such Justice of the Peace to whom any complaint shall be made of any offence committed against this Act to summon the party complained of before him, and on such summons to hear and determine the matter of such complaint in a summary way, and on proof of the offence to convict the offender, and to adjudge him to pay the penalty or forfeiture incurred, and to proceed to recover the same, although no information in writing or in print shall have been exhibited or taken by or before such Justice; and all such proceedings by summons without information shall be as good, valid and effectual to all intents and purposes as if an information in writing had been exhibited.

Appendix (C.)

ANNO PRIMO & SECUNDO VICTORIÆ REGINÆ.

Cap. CXVII.

AN ACT to provide for the Custody of certain Monies paid in pursuance of the Standing Orders of either House of Parliament by Subscribers to Works or Undertakings to be effected under the Authority of Parliament.

WHEREAS it is expedient to provide for the custody of any sums of money paid in pursuance of any Standing Order of the Lords Spiritual and Temporal in Parliament assembled, or of the Commons in Parliament assembled, by subscribers to works or undertakings to be made under the authority of an Act of Parliament; BE it therefore Enacted by The Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, That in all cases in which any sum of money is required by any Standing Order of either House of Parliament, either now or hereafter to be in force, to be paid by the subscribers to any work or undertaking which is to be executed under the authority of an Act of Parliament, if the director or person or directors or persons having the management of the affairs of any such proposed work or undertaking, or any Five of them, shall apply to the Chairman of the Committees of the House of Lords with respect to any such money required by any Standing Order of the Lords Spiritual and Temporal in Parliament assembled, or to The Speaker of the House of Commons with respect to any such money required by any Standing Order of the Commons in Parliament assembled, the said Chairman or the said Speaker may, by warrant or order under his hand, direct that such sum of money shall be paid in manner hereinafter mentioned; that is to say, into the Bank of England in the name and with the privity of the Accountant-general of the Court of Exchequer in England, if the work or undertaking in respect of which the sum of money is required to be paid is intended to be executed in that part of the United Kingdom called England; or into the Bank of England in the name and with the privity of the said Accountant-general, or into any of the Banks in Scotland established by Act of Parliament or Royal Charter in the name and with the privity of The Queen's Remembrancer of the Court of

Authority to Deposit.

of Exchequer in Scotland, at the option of the person or persons making such application as aforesaid, in case such work or undertaking is intended to be executed in that part of the United Kingdom called Scotland; or into the Bank of Ireland in the name and with the privity of the Accountant-general of the Court of Chancery in Ireland, in case such work or undertaking is intended to be made or executed in that part of the United Kingdom called Ireland; and every such application as aforesaid to the said Chairman or Speaker shall be made in writing, and be signed by the director or directors, or person or persons having the management of the said work or undertaking, or by any Five of them; and therein shall be stated the name or description of such work or undertaking, and name and place of abode or the names and places of abode of such director or directors, person or persons, and the sum of money required to be paid, and the bank and name into and in which the same is to be paid; and such particulars shall also be set forth in every such warrant or order; and such warrant or order shall be a sufficient authority for the Accountant-general of the said Court of Exchequer in England, the Queen's Remembrancer of the Court of Exchequer in Scotland, and the Accountant-general of the Court of Chancery in Ireland respectively, to permit the sum of money directed to be paid by such warrant or order to be placed to an account opened or to be opened in his name in the Bank mentioned in such warrant or order.

Payment of Deposit.

II. And be it Enacted, That it shall be lawful for the person or persons named in such warrant or order, or the survivors or survivor of them, or any Five of them, to pay the sum of money mentioned in such warrant or order into the Bank mentioned in such warrant or order in the name and with the privity of the officer or person in whose name such sum shall be directed to be paid by such warrant or order, to be placed to his account there ex-parte the work or undertaking mentioned in such warrant or order; and every such sum so paid in, or the securities in or upon which the same may be invested as hereinafter mentioned, shall there remain until the same or such securities as aforesaid shall be paid out of such Bank in pursuance of the provisions of this Act: Provided always, That every sum paid into the Bank of England in the name and with the privity of the Accountant-general of the Court of Exchequer under the provisions of this Act, shall be paid in and placed to his account there pursuant to the method prescribed by an Act passed in the first year of the reign of his late Majesty King GEORGE the Fourth, intituled, "An Act for the better securing Money and Effects paid into the Court of Exchequer at Westminster on account of the Suitors of the said Court, and for the Appointment of an Accountant-general and Two Masters of the said Court, and for other Purposes, and pursuant to the General Orders of the said Court, and without Fee or Reward;" and every sum paid into the Bank of Ireland in the name and with the privity of the Accountant-general of the Court of Chancery in Ireland, under the provisions of this Act, shall be paid in and placed to his account pursuant to the method prescribed by an Act made and passed in the Parliament of Ireland in the twenty-third and twenty-fourth years of the reign of his late Majesty King GEORGE the Third, intituled, "An Act for the better securing the Monies and Effects of the Suitors of the Court of Chancery and Exchequer, by depositing the same in the National Bank, and to prevent the forging and counterfeiting any Draft, Order or other Voucher for the payment or Delivery of such Money and Effects, and for other Purposes," and pursuant to the general orders of the said Court, and without fee or reward.

1 G. 4. c. 35.

23 & 24 G. 3. (I.)

Investment of Deposit.

III. And be it Enacted, That if the person or persons named in such warrant or order, or the survivor or survivors of them, or any Five of them, desire to have invested any sum so paid into the Bank of England or the Bank of Ireland, the court in the name of whose Accountant-general the same may have been paid, on a petition presented to such court in a summary way by him or them, may order that such sum shall, until the same be paid out of court in pursuance of this Act, be laid out in the Three per Centum Consolidated or Three per Centum Reduced Bank Annuities, or any Government security or securities.

IV. And

Repayment of Deposit.

IV. And be it Enacted, That on the termination of the Session of Parliament in which the Petition or Bill for the purpose of making or sanctioning any such work or undertaking shall have been introduced into Parliament, or if such Petition or Bill shall be rejected or finally withdrawn by some proceeding in either House of Parliament, or shall not be allowed to proceed, or if an Act be passed authorizing the making of such work or undertaking; and if in any or either of the foregoing cases the person or persons named in such warrant or order, or the survivor or survivors of them, or the majority of such persons, apply by petition to the court in the name of whose Accountant-general the sum of money mentioned in such warrant or order shall have been paid, or to the Court of Exchequer in Scotland in case such sum of money shall have been paid in the name of the said Queen's Remembrancer, the court in the name of whose Accountant-general or Queen's Remembrancer such sum of money shall have been paid shall, by order, direct the sum of money paid in pursuance of such warrant or order, or the stocks, funds or securities in or upon which the same are invested, and the interest or dividends thereof, to be transferred and paid to the party or parties so applying, or to any other person or persons whom they may appoint in that behalf; but no such order shall be made in the case of any such Petition or Bill being rejected, or not being allowed to proceed or withdrawn, unless it be proved by the certificate of the Chairman of Committees, if the said Petition or Bill was rejected or not allowed to proceed, or withdrawn in its passage through the House of Lords, or of the said Speaker, if the said Petition or Bill was rejected or not allowed to proceed, or withdrawn during its passage through the House of Commons, that the Petition or Bill has been either so rejected, or not allowed to proceed, or so withdrawn by some proceeding in one or other House of Parliament; which certificate the said Chairman or Speaker shall grant on the application in writing of the person or persons, or the majority of the persons named in such warrant or order, or the survivor or survivors of them; and every such certificate shall be conclusive proof of such rejection, or not proceeding, or withdrawal.

REPORT FROM SELECT COMMITTTEE

ON

Standing Orders Revision (1842);

AS AGREED TO BY THE HOUSE,

2d August 1842,

AND MADE

STANDING ORDERS

OF

THE HOUSE OF COMMONS.

Ordered, by The House of Commons, *to be Printed,*
2 *August* 1842.

Mercurii, 13° *die Julii*, 1842.

Ordered, THAT a Select Committee be appointed "to consider the propriety of making such alterations in the Standing Orders as may be conducive to the improved conduct of the Private Business of this House:"—

Lord Granville Somerset.	Mr. Pendarves.
Mr. Estcourt.	Mr. Wilson Patten.
Sir George Grey.	Mr. Aglionby.
Mr. Greene.	Sir Robert Ferguson.
Mr. Strutt.	Sir William Heathcote.
Sir John Yarde Buller.	Mr. Ewart.
Mr. Loch.	Mr. William Miles.
Mr. Labouchere.	

Ordered, THAT the Committee have power to send for Persons, Papers, and Records; and that Five be the Quorum of the Committee.

THE REPORT - - - - - - - - - - - - p. 3

PROCEEDINGS OF THE COMMITTEE - - - - - - p. 4

STANDING ORDERS - - - - - - - - - p. 11

REPORT.

THE SELECT COMMITTEE appointed to consider the propriety of making such Alterations in the STANDING ORDERS as may conduce to the improved Conduct of the PRIVATE BUSINESS of this HOUSE;——HAVE considered the Matters to them referred, and have agreed to the following REPORT:

YOUR Committee, in discharge of the duty entrusted to them, have carefully revised the whole of the Standing Orders in respect of Private Bills, and have made such Amendments therein as appeared to them desirable.

The nature of these Amendments will, in the opinion of Your Committee, be more conveniently brought before the notice of The House by the Observations they have placed against the more material of them, than by any remarks in this place.

It only remains, therefore, to Your Committee to recommend the Standing Orders, amended and arranged by them as follows, to the consideration of Your Honourable House.

1 *August* 1842.

PROCEEDINGS OF THE COMMITTEE.

Lunæ, 18° *die Julii*, 1842.

PRESENT:

Lord Granville Somerset.	Mr. Estcourt.
Sir George Grey.	Mr. Greene.
Mr. Strutt.	Sir John Yarde Buller.
Mr. Loch.	Mr. Ewart.

Lord GRANVILLE SOMERSET called to the Chair.

Committee proceeded in the revision of the Standing Orders, and made several Amendments thereto.

[Adjourned to Tuesday, 19th, at Two o'clock.

Martis, 19° *die Julii*, 1842.

Lord GRANVILLE SOMERSET in the Chair.

Mr. Estcourt.	Mr. Greene.
Mr. Strutt.	Sir John Yarde Buller.
Mr. Wilson Patten.	Sir R. Ferguson.

Committee proceeded in the revision of the remaining Standing Orders, and made several Amendments thereto.

Standing Orders, as amended, ordered to be printed, and to be taken into consideration at the next meeting of the Committee.

[Adjourned to Monday, 25th, at One o'clock.

Lunæ, 25° *die Julii*, 1842.

Lord GRANVILLE SOMERSET in the Chair.

Mr. Estcourt.	Sir John Yarde Buller.
Mr. Greene.	Mr. Wilson Patten.
Sir R. Ferguson.	Mr. Ewart.

Standing Orders printed as amended at the last sitting of the Committee further considered, and several Amendments made thereto.

[Adjourned till Wednesday, at One o'clock.

Jovis, 28° *die Julii*, 1842.

Lord GRANVILLE SOMERSET in the Chair.

Mr. Estcourt.	Mr. Greene.
Sir John Yarde Buller.	Sir R. Ferguson.
Mr. Ewart.	

Resolved,—That it is desirable, for the purpose of causing greater uniformity of decision, that the number of the Select Committee on Standing Orders be reduced.

That it will be expedient, for the purpose of the Select Committee on Standing Orders becoming more fully acquainted with the facts which may have been elicited by the Sub-Committees on Petitions for Private Bills, that the Chairmen of those Committees should be also members of the Select Committee on Standing Orders.

Standing Order No. 3, further considered and amended according to the foregoing Resolutions.

Standing Orders further considered, and several Amendments made thereto.

[Chairman to report.

STANDING ORDERS

OF THE

HOUSE OF COMMONS,

As agreed to 2d August 1842.

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ABSTRACT of STANDING ORDERS relating to the passing of PRIVATE BILLS through The HOUSE of COMMONS.

STAGES OF THE PROCEEDINGS.	NOTICES AND APPLICATIONS.	DEPOSITS.	INTERVALS TO BE OBSERVED.
	No. of Standing Order.	No. of Standing Order.	No. of Standing Order.
Previous to the commencement of Proceedings in The House.	15.—Notice in the London, Edinburgh or Dublin Gazettes [as the case may be], and in some one and the same County Paper, in Three successive Weeks of October and November, or either of them.	23.—Deposit with the Clerk of the Peace, Plans, Sections and Books of Reference on or before the 30th of November. 27.—Deposit with the Parish Clerks, &c. &c., Parochial Plans, Sections and Books of Reference on or before the 31st of December. 28.—Deposit in the Private Bill Office, Plans, Sections and Books of Reference on or before the 31st of December.	
Additional under special circumstances:			
If Lands or Houses to be taken.	17.—Application to Owners, Lessees and Occupiers on or before the 31st of December.	17.—Deposit in the Private Bill Office, Lists of Owners, Lessees and Occupiers, Estimates and Declarations, before the Presentation of the Petition.	
If a First Class Bill -	18.—Notice on the Church Doors of all Parishes affected on Three successive Sundays in October and November, or either of them.		
If to make a Burial Ground.	20.—Notice on the Church Doors of every adjoining Parish on Three successive Sundays in October and November, or either of them. 21.—Notice to the Owner and Occupier of every Dwelling-house within 300 Yards of the intended Burial Ground on or before the 31st of December.		
Presentation of the Petition for a Bill.	36.—Notice to Owners and Occupiers, if the Bill be to relinquish a work authorized by a former Act, before the Presentation of the Petition.	35.—Deposit in the Vote Office printed Copies of Subscription Contract, or of Declaration and Estimate, before the Presentation of the Petition.	98.—Petition to be pre sented within Twenty one Days after the Firs Friday in the Session.
Committee on Petitions	119.—Notice in the Private Bill Office of the First Meeting of the Committee, Ten clear Days. 120.—Notice in the Private Bill Office of the Postponement of the First Meeting of the Committee, One clear Day.	- - - - - - - -	99.—Between the Prese tation of Petition and t Meeting of the Commi tee, if an English Bi Ten clear Days; if Scotch or Irish Bill, Fi teen clear Days.
Second Reading - -	124.—Notice in the Private Bill Office of the Second Reading, Three clear Days.	- - - - - - - -	103.—Between the First an Second Reading, Thre clear Days. 105.—Second Reading n within Two Month after the last Notice i the Newspapers. 107.—Second Reading n within Three clear Day after the Breviate sha have been laid on the Tabl

ABSTRACT of Standing Orders relating to the passing of Private Bills through the House of Commons—*continued.*

STAGES IE PROCEEDINGS.	NOTICES AND APPLICATIONS.	DEPOSITS.	INTERVALS TO BE OBSERVED.
ittee on the Bill	No. of Standing Order. 125.—Notice in the Private Bill Office of the Meeting of the Committee, Seven clear Days.	No. of Standing Order. 126.—Deposit in the Private Bill Office a filled-up Bill, on giving Notice of the Committee.	No. of Standing Order. 110.—Between Second Reading and the Meeting of the Committee, Seven clear Days.
onement of the mmittee.	127.—Notice in the Private Bill Office of the Postponement of First Meeting of the Committee, One clear Day.		
mmittal of the Bill	125.—Notice in the Private Bill Office of the Meeting of the Committee, Three clear Days.	126.—Deposit in the Private Bill Office a filled-up Bill, as proposed to be submitted to the Committee, on giving Notice.	
t considered -	129.—Notice in the Private Bill Office of the Consideration of the Report, One clear Day. 131.—Notice in the Private Bill Office of any Clause to be brought up, or Amendments to be made on the Consideration of the Report, on the Day previous to such Consideration.	113.—Deposit with the Door-keepers, Prints of the Bill as amended Three clear Days before the Report is considered. 131.—Deposit in the Private Bill Office, any Clause to be brought up, or Amendment to be made on the Consideration of the Report, on the Day previous to such Consideration.	
Reading - -	132.—Notice in the Private Bill Office of the Third Reading, One clear Day. 131.—Notice in the Private Bill Office of any Clause to be brought up, or Amendments to be made on the Third Reading, on the Day previous to such Third Reading.	131.—Deposit in the Private Bill Office, any Clause to be brought up, or Amendment to be made on the Third Reading, on the Day previous to such Third Reading.	
deration of Lords' endments.	136.—Notice in the Private Bill Office of the Consideration of Lords' Amendments on the Day previous to such Consideration.		

I.

APPOINTMENT OF COMMITTEES.

Appointment of Committees.

STANDING ORDERS REVISION.

APPOINTMENT OF COMMITTEES.

1.

Committee on Petitions for Private Bills.

THAT a Committee be appointed at the commencement of every Session, consisting of *Forty-two* Members, of whom *Five* shall be a Quorum in opposed cases, and *Three* a Quorum in unopposed cases, to which shall be referred all Petitions for Private Bills, with their annexed Bills, and all Estate Bills brought from the House of Lords, after having been read a First time; and such Committee shall be denominated "THE SELECT COMMITTEE ON PETITIONS FOR PRIVATE BILLS."

2.

Sub-Committees on Petitions for Private Bills.

THAT the Select Committee on Petitions for Private Bills have leave to divide themselves into Sub-Committees, each consisting of *Seven* Members at the least, and to make regulations for the transaction of business.

3.

Committee on Standing Orders.

THAT a Committee be appointed at the commencement of every Session, consisting of *Eleven* Members, including the Chairmen of the Committee and of the Sub-Committees on Petitions for Private Bills, of whom *Five* shall be a Quorum; and such Committee shall be denominated "THE SELECT COMMITTEE ON STANDING ORDERS."

4.

Committee of Selection.

THAT a Committee be appointed at the commencement of every Session, consisting of the Chairman of the Select Committee on Standing Orders and of the Chairmen of the Committee and of the Sub-Committees on Petitions for Private Bills, of whom *Three* shall be a Quorum; and such Committee shall be denominated "THE COMMITTEE OF SELECTION."

5.

Committee on Opposed Private Bills.

THAT the Committee on every "Opposed Private Bill," not being a Divorce Bill, shall consist of the Members on The Speaker's List of that County or that Division of a County to which the Bill specially relates, and of such number of "Selected Members" not locally interested in the Bill in progress, and in such proportion, as the circumstances of each case shall in the judgment of the Committee of Selection require, of which Committee *Five* (including the Quorum of selected Members) shall be a Quorum.

Appointment of Committees.

6.

Committee on Unopposed Private Bills.

THAT the Committee on every "Unopposed Private Bill," not being a Divorce Bill, and which shall have originated in this House, shall consist of the Chairman of the Committee of Ways and Means, together with the Members ordered to prepare and bring in the Bill; and that the Committee on every "Unopposed Private Bill," not being a Divorce Bill, which shall have been brought from the House of Lords, shall consist of the Chairman of the Committee of Ways and Means, and of not less than *Two* other Members to be named by the Committee of Selection; and that the Chairman of the Committee of Ways and Means shall be the Chairman of the Committee on every "Unopposed Private Bill," not being a Divorce Bill; and that such Chairman and *One* of such other Members shall be the Quorum required to be present during the whole progress of the Bill through such Committee.

7.

Committee on Divorce Bills.

THAT a Committee be appointed at the commencement of every Session, consisting of not more than *Fifteen* Members, of whom *Five* shall be a Quorum, to which shall be referred all Divorce Bills; and such Committee shall be denominated "THE SELECT COMMITTEE ON DIVORCE BILLS."

8.

Members not to be added to Committee, except by special order.

THAT after any Committee on a Private Bill shall have been formed, no Members be added thereto, unless by special order of The House.

II.

DUTIES OF COMMITTEES.

Committee on Petitions.

DUTY OF THE SELECT COMMITTEE ON PETITIONS FOR PRIVATE BILLS.

9.

Compliance with Standing Orders to be proved before Sub-Committee.

THAT the compliance with the following Standing Orders shall be proved before one of the Sub-Committees of the Select Committee on Petitions for Private Bills, and any parties shall be at liberty to appear and be heard, by themselves, their agents and witnesses, upon any Petition which may be referred to such Committee, complaining of a non-compliance with the Standing Orders, provided the matter complained of be specifically stated in such Petition, and that such Petition be presented *Three* clear days before the first meeting of such Sub-Committee.

10.

Proof of Notices on Church-doors, where Bills relate to *England*.

THAT in the case of any application for a Private Bill relating to *England*, the Committee may admit proof of the compliance with the Standing Orders which refer to the affixing to the Church-doors the requisite Notices, on the production of affidavits sworn before any Justices in Petty Sessions assembled, for the division within which the Churches on which the Notices have been affixed shall be respectively situated.

11.

Standing Orders may be proved on Affidavit.

Scotland.

THAT in the case of any application for a Private Bill relating to *Scotland*, the Committee may admit proof of the compliance with the Standing Orders of this House, on the production of Affidavits sworn before any Sheriff Depute or his Substitute there, whose Certificate shall be admitted as evidence of such proof having been made, unless the Committee shall require further evidence.

12.

Standing Orders may be proved on Affidavit.

Ireland.

THAT in the case of any application for a Private Bill relating to *Ireland*, the Committee may admit proof of the compliance with the Standing Orders of The House, on the production of Affidavits sworn before any Judge or Assistant Barrister of that part of the United Kingdom, whose Certificate shall be admitted as evidence of such proof having been made, unless the Committee shall require further evidence.

13.

Sub-Committee to report facts when Standing Orders have not been complied with.

THAT when the Sub-Committee shall report to The House that the Standing Orders have not been complied with, they do report the facts upon which their decision is founded, and any special circumstances connected with the case.

Committee on Petitions.

Notices of Application.

14.

THAT Notices be given in all cases where Application is intended to be made for leave to bring in a Bill relating to the subjects included in any of the following Classes:—

1st CLASS.—Burial Ground, Making, Maintaining or Altering.
Church or Chapel, Building, Enlarging, Repairing or Maintaining.
City or Town, Paving, Lighting, Watching, Cleansing or Improving.
Crown, Church, or Corporation Property, or Property held in Trust for Public or Charitable Purposes.
Fishery, Making, Maintaining or Improving.
Land, Inclosing, Draining or Improving.
Market or Market-place.
Local Court, Constituting.
Market or Market-place, Erecting, Improving, Repairing, Maintaining, or Regulating.
Poor, Maintaining or Employing.
Poor Rate.
Stipendiary Magistrate, or any Public Officer, Payment of, if not out of County Rate.

2d CLASS.—Making, Maintaining, Varying, Extending or Enlarging any

Aqueduct.	Navigation.
Archway.	Pier.
Bridge.	Port.
Canal.	Railway.
Cut.	Reservoir.
Dock.	Tunnel.
Ferry.	Turnpike Road.
Harbour.	Waterwork.

3d CLASS.—Continuing or amending an Act passed for any of the purposes included in this or the two preceding Classes, where no further work than such as was authorized by a former Act is proposed to be made.
Company, Incorporating or giving Powers to.
County Rate.
County or Shire Hall, Court House.
Gaol or House of Correction.
Letters Patent, Confirming, Prolonging or Transferring the Term of.
Powers to sue and be sued, Conferring.
Stipendiary Magistrate, or any Public Officer, Payment of, if out of County Rate.

15.

Notices to be published.

THAT such Notices be published in *Three* successive *Weeks* in the months of *October* and *November*, or either of them, immediately preceding the Session of Parliament in which Application for the Bill shall be made, in the *London*, *Edinburgh* or *Dublin Gazette*, as the case may be, and in some one and the same Newspaper of the County in which the City, Town or Lands to which such Bill relates shall be situate; or if there be no Newspaper published therein, then in the Newspaper of some County adjoining or near thereto; or if such Bill do not relate to any particular City, Town or Lands, in the *London*, *Edinburgh* or *Dublin Gazette* only, as the case may be; and that all Notices required to be inserted in the *London*, *Edinburgh* or *Dublin Gazette*, be delivered at the Office of the Gazette in which the insertion is required to be made, during the usual office

Committee on Petitions.

office hours, at least *Two* clear *days* previous to the publication of the Gazette, and that the receipt of the Printer for such Notice shall be proof of its due delivery.

16.

Intention to levy or alter Tolls to be stated.

THAT if it be the intention of the Parties applying for leave to bring in a Bill, to levy any Tolls, Rates or Duties, or to alter any existing Tolls, Rates or Duties, or to confer, vary, or extinguish any exemptions from payment of Tolls, Rates or Duties, or any other rights or privileges, the Notices shall specify such intention.

17.

Application to Owners, &c.

THAT on or before the 31st day of *December* immediately preceding the application for a Bill by which any Lands or Houses are intended to be taken, or an extension of the time granted by any former Act for that purpose is sought, application in writing, (and in cases of Bills included in the second class, in the form, as near as may be, set forth in the Appendix marked (A.)), be made to the Owners or reputed Owners, Lessees or reputed Lessees, and Occupiers, either by delivering the same personally, or by leaving the same at their usual Place of Abode, or in their absence from the United Kingdom, with their Agents respectively, of which application having been duly made, the production of a written acknowledgment by the party applied to of the receipt of such application, shall be sufficient evidence, in the absence of other proof, of the same having been duly delivered or left as aforesaid; and that separate Lists be made of the Names of such Owners, Lessees and Occupiers, distinguishing which of them have assented, dissented, or are neuter in respect thereto. (*See* as to depositing said Lists in Private Bill Office, page 49, No. 118.)

ORDERS specially relating to BILLS of the FIRST CLASS.

18.

Notices on Church Doors.

THAT in cases of Bills included in the 1st Class, Notices shall also be affixed to the Outer Doors of the Churches of every Parish to which they specially relate, for *Three* successive *Sundays* in the months of *October* and *November*, or either of them.

Crown, &c. Property.

19.

Notice to Owners, &c.

THAT in cases of intended Application to Parliament for Bills relating to Crown, Church or Corporation Property, or Property held in Trust for Public or Charitable Purposes, Notice in writing of such intention be given to the Owners or reputed Owners of such Property, and to the Lessees or reputed Lessees of such Property, holding Leases granted for a life or lives, or for any term of Twenty-one Years or upwards; such Notice to be given as aforesaid previous to the Presentation of the Petition for leave to bring in the Bill, or, in the case of a Bill brought from The House of Lords, previous to the First Reading thereof.

Committee on Petitions.

Burial Grounds.

20.

Notices on Church Doors.

THAT Notices be affixed to the Outer Doors of the Churches of every Parish adjoining that in which a Burial Ground is proposed to be made, for *Three* successive *Sundays* in the months of *October* and *November*, or either of them.

21.

Notice to Owners and Occupiers of Houses.

THAT on or before the *Thirty-first* day of *December* immediately preceding the Application for any Bill for making a Burial Ground, Notice be given to the Owner and Occupier of every Dwelling House situated within 300 Yards of the Boundary of the proposed Burial Ground.

ORDERS specially relating to BILLS of the SECOND CLASS.

22.

Notices to contain Names of Parishes, &c.

THAT in cases of Bills included in the 2d Class, all Notices shall contain the Names of the Parishes, Townships, Townlands and extra-parochial places from, in, through, or into which the Work is intended to be made, maintained, varied, extended or enlarged, and shall state the time and place of deposit of the Plans, Sections and Books of Reference respectively, with the Clerks of the Peace, Parish Clerks, Schoolmasters, Town Clerks and Postmasters, as the case may be. (*See* Nos. 23 & 27.)

23.

Plans, &c. with Clerk of the Peace.

THAT a Plan, and also a duplicate of such Plan, on a scale of not less than Four Inches to a Mile, be deposited for public inspection at the office of the Clerk of the Peace for every County, Riding or Division in *England* or *Ireland*, or in the Office of the Principal Sheriff Clerk of every County in *Scotland*, in or through which the Work is proposed to be made, maintained, varied, extended or enlarged, on or before the 30th day of *November*, immediately preceding the Session of Parliament in which Application for the Bill shall be made; which Plans shall describe the line or situation of the whole of the Work, and the Lands in or through which it is to be made, maintained, varied, extended or enlarged, or through which every communication to or from the Work shall be made, together with a Book of Reference containing the Names of the Owners or reputed Owners, Lessees or reputed Lessees, and Occupiers of such Lands respectively; and in the case of Bills relating to Turnpike Roads, Cuts, Canals, Reservoirs, Aqueducts and Railways, a Section and Duplicate thereof, as hereinafter described, shall likewise be deposited with such Plan and Duplicate.

24.

Lands within Deviation to be on Plan.

THAT where it is the intention of the Parties to apply for powers to make any lateral deviation from the line of the proposed Work, the limits of such deviation shall be defined upon the Plan, and all Lands included within such limits shall be marked

Committee on Petitions.

marked thereon, and that in all cases, excepting where the whole of such Plan shall be upon a scale of not less than a *quarter* of an *inch* to every 100 feet, an additional Plan of any Building, Yard, Court-Yard or Land within the curtilage of any Building, or of any Ground cultivated as a Garden, either on the original line or included within the limits of the said deviation, shall be laid down on the said Plan or on the additional Plan deposited therewith, upon a scale of not less than a *quarter* of an *inch* to every 100 feet. (*See* Fig. 3.)

Buildings, &c. on enlarged Scale.

25.

Section.

That the Section be drawn to the same horizontal scale as the Plan, and to a vertical scale of not less than *one inch* to every 100 feet, and shall show the surface of the ground marked on the Plan, and the intended level of the proposed Work, and a datum horizontal line, which shall be the same throughout the whole length of the Work, or any Branch thereof respectively, and shall be referred to some fixed point stated in writing on the Section, near either of the termini. (*See* Line D. D., Fig. 2.)

26.

Clerks of Peace to indorse a Memorial on Plans, &c.

That the Clerks of the Peace or Sheriff Clerks, or their respective Deputies, do make a Memorial in writing upon the Plans, Sections and Books of Reference so deposited with them, denoting the time at which the same were lodged in their respective offices, and do at all seasonable hours of the day permit any person to view and examine one of the same, and to make copies or extracts therefrom; and that *one* of the two Plans and Sections so deposited, be sealed up and retained in the possession of the Clerk of the Peace or Sheriff Clerk until called for by order of one of the Two Houses of Parliament. (*See* Appendix, Act 1 Vict. c. 83.)

27.

Plan and Section with Parish Clerk, &c.

That on or before the 31st day of *December*, a copy of so much of the said Plans and Sections as relates to each Parish in or through which the Work is intended to be made, maintained, varied, extended or enlarged, (*see* Fig. 5.), together with a Book of Reference thereto, be deposited with the Parish Clerk of each such Parish in *England*, the Schoolmaster of each such Parish in *Scotland*, (or in Royal Burghs with the Town Clerk,) and the Postmaster of the Post-town in or nearest to such Parish in *Ireland*. (*See* Appendix, Act 1 Vict. c. 83.)

28.

Time for Deposit in Private Bill Office.

That on or before the 31st day of *December*, a copy of the said Plans, Sections and Books of Reference be deposited in the Private Bill Office of this House.

29.

Estimate and Subscription Contract.

That an Estimate of the Expense be made and signed by the person making the same, and that a Subscription be entered into under a Contract, made as hereinafter described, to *three-fourths* the amount of the Estimate. (*See* as to depositing Estimate and Subscription Contract in Private Bill Office, p. 49, No. 118.)

Committee on Petitions.

30.

Cases wherein Declaration may be substituted for Subscription Contract.

THAT in cases where the Work is to be made by means of Funds, or out of Money to be raised upon the credit of present Surplus Revenue, under the control of Directors, Trustees, or Commissioners, as the case may be, of any existing Public Work, a Declaration stating those facts, and setting forth the nature of such control, and the nature and amount of such Funds or Surplus Revenue, and given under the common seal of the Company, or under the hand of some authorized Officer of such Directors, Trustees or Commissioners, may be substituted in lieu of the Subscription Contract, and in addition to the Estimate of the Expense. (*See* as to depositing Subscription Contracts in Private Bill Office, p. 49, No. 118.)

31.

Cases wherein Declaration and Estimate of Amount of Rates may be substituted for Subscription Contract.

THAT in cases where the Work is to be made out of Money to be raised upon the Security of the Rates, Duties or Revenue to be created by or to arise under any Bill, under which no private or personal pecuniary profit or advantage is to be derived, a Declaration stating those facts, and setting forth the means by which Funds are to be obtained for executing the Work, and signed by the Party or Agent soliciting the Bill, together with an Estimate of the probable amount of such Rates, Duties or Revenue, signed by the Person making the same, may be substituted in lieu of the Subscription Contract, and in addition to the Estimate of the Expense. (*See* as to depositing Estimate and Subscription Contract in Private Bill Office, p. 49, No. 118.)

32.

Contract to contain Christian and Surnames of Parties.

THAT every Subscription Contract contain the Christian and Surnames, Description and Place of Abode of every Subscriber; his Signature to the amount of his Subscription, with the amount which he has paid up; and the Name of the Party witnessing such Signature and the date of the same respectively.

33.

One-tenth part of amount subscribed to be deposited, and Shares of Three-fourths of Subscribers to be paid up.

THAT previous to the presentation of a Petition for a Bill, a sum equal to *One-tenth* part of the amount subscribed shall be deposited with the Court of Chancery in *England*, if the Work is intended to be done in *England*, or with the Court of Chancery in *England* or the Court of Exchequer in *Scotland*, if such Work is intended to be done in *Scotland*, and with the Court of Chancery in *Ireland*, if such Work is intended to be done in *Ireland*; and that not less than *Three-fourths* in number of the Subscribers shall pay up their Shares of such Deposit. (*Vide* Appendix C.)

34.

Not valid unless entered into subsequent to close of previous Session.

THAT no Subscription Contract shall be valid unless it be entered into subsequent to the close of the Session of Parliament previous to that in which application is made for leave to bring in the Bill to which it relates, and unless the Parties subscribing to it bind themselves, their Heirs, Executors and Administrators, for the Payment of the Money so subscribed.

Committee on Petitions.

35.

Copies of Subscription Contract, or of Declaration, &c., to be printed, and delivered in Vote Office.

THAT previous to the presentation of a Petition for a Bill, copies of the Subscription Contract, with the Names of the Subscribers arranged in alphabetical order, and the amount of the Deposit respectively paid up by each such Subscriber, or where a Declaration and Estimate of the probable amount of Rates and Duties are substituted in lieu of a Subscription Contract, copies of such Declaration or of such Declaration and Estimate be printed at the expense of the Promoters of the Bill, and be delivered at the Vote Office for the use of the Members of The House.

36.

Notice to Owners, &c., when the Bill is to abridge any Public Work.

THAT previous to the presentation of a Petition for a Bill whereby any part of a Work authorized by any former Act is intended to be relinquished, Notice in writing of such Bill be given to the Owners or reputed Owners and Occupiers of the Lands in which the part of the said Work intended to be thereby relinquished is situate.

Cuts, Canals, Reservoirs, Aqueducts and Navigations.

37.

When it is intended to divert Water from an existing Cut, &c., into an intended Cut, &c., the name of the existing Cut, &c., to be mentioned.

THAT in all cases where it is proposed to divert into any intended Cut, Canal, Reservoir, Aqueduct, or Navigation, or into any intended variation, extension, or enlargement thereof respectively, any Water from any existing Cut, Canal, Reservoir, Aqueduct, or Navigation, whether directly or derivatively, and whether under any agreement with the Proprietors thereof or otherwise, the Notices shall contain the name of every such existing Cut, Canal, Reservoir, Aqueduct or Navigation, the Waters supplying which, by virtue of any Act of Parliament, will either directly or derivatively flow or proceed into any such intended Cut, Canal, Reservoir, Aqueduct, or Navigation, or into any intended variation, extension or enlargement thereof.

38.

Plan to describe Brooks, &c. to be diverted.

THAT in all cases where it is proposed to make, vary, extend or enlarge any Cut, Canal, Reservoir, Aqueduct or Navigation, the Plan shall describe the Brooks and Streams to be directly diverted into such intended Cut, Canal, Reservoir, Aqueduct or Navigation, or into any variation, extension or enlargement thereof respectively for supplying the same with Water; it shall also exhibit the height of the several Embankments, and the depth of the several Cuttings respectively, on a scale specified thereon (*see* Fig. 1); and in cases of Bills for improving the Navigation of any River, there shall be a Section which shall specify the Levels of both Banks of such River, and where any alteration is intended to be made therein, it shall describe the same by feet and inches.

Railways.

39.

Plan of Railway to show Embankments and Cuttings.

THAT in all cases where it is proposed to make, vary, extend or enlarge any Railway, the Plan shall exhibit thereon the height of the several Embankments, and the depth of the several Cuttings respectively, on a scale specified thereon. (*See* Fig. 1.)

Committee on Petitions.

40.

Line of Railway on Section to correspond with upper surface of Rails.

THAT in every Section of a Railway, the Line marked thereon shall correspond with the upper surface of the Rails. *See* Line S. S., Fig. 2.)

41.

Vertical Measures to be marked at change of gradient.

THAT a vertical measure from the datum line to the line of the Railway shall be marked in feet and inches at each change of the gradient or inclination (*see* E. F., Fig. 2), and that the proportion or rate of inclination between each such change shall also be marked. (*See* G. G. in Fig. 2.)

42.

Height of Railway, over or under surface, to be marked at every crossing of a Road, &c.

THAT the height of the Railway over or under the surface of every Turnpike Road, public Carriage Road, navigable River, Canal, or Railway, or junction with a Railway, shall be marked in figures at every crossing thereof (*see* I. I. I., Fig. 2) ; and if there shall be no such crossing in every half mile, then the height over or under the surface of the ground shall be marked once in that space (*see* O. O. O., Fig. 2) ; and if any alteration in the present level or rate of inclination of any Turnpike Road, Carriage Road or Railway be intended, then the same shall be stated on the said Section. (*See* P. Fig. 2.)

43.

Tunnelling and Archway to be marked.

THAT where tunnelling as a substitute for open cutting, or arching as a substitute for solid embankment, be intended, the same shall be marked both on the Plan and Section. (*See* Q. R., Figs. 1 and 2.)

Letters Patent.

44.

Name of Invention to be prefixed in Capitals to Notice.

THAT in cases of Bills for confirming or prolonging the terms of Letters Patent, each Notice shall have prefixed to it in Capital Letters the name by which the Invention is usually distinguished, and shall contain a distinct description of the Invention for which such Letters Patent have been obtained, and also an account of the Term of their Duration.

DUTY OF THE SELECT COMMITTEE ON STANDING ORDERS.

45.

THAT all Reports of the Select Committee on Petitions for Private Bills, in which they shall report that the Standing Orders have not been complied with, be referred to the Select Committee on Standing Orders, who shall report to The House whether such Standing Orders as have not been complied with ought or ought not to be dispensed with, and whether in their opinion the parties should be permitted to proceed with their Bill, or any portion thereof, and under what (if any) conditions.

Reports that Standing Orders have not been complied with, to be referred to Committee on Standing Orders, who shall report opinion thereon.

46.

THAT all Petitions for leave to dispense with any of the Sessional Orders of The House relating to Private Bills, be referred to the Select Committee on Standing Orders, who shall report to The House whether such Sessional Orders ought or ought not to be dispensed with.

Petitions for leave, &c., to be referred to Committee on Standing Orders, who shall report thereon.

Committee of Selection.

DUTY OF THE COMMITTEE OF SELECTION.

47.

Opposed Bill to be referred to Speaker's List, &c.

THAT the Committee of Selection shall refer every Private Bill referred to them, when it be opposed, to the Speaker's List of that County or that Division of a County to which the Bill specially relates, and to such number of Members not locally interested in the Bill as the circumstances of the case shall in their judgment require.

48.

Quorum of Selected Members.

THAT the Committee of Selection shall in each case direct what number of the Members (not locally interested in the Bill) selected and added to the Speaker's List by them, shall be a Quorum of such Members.

49.

Notice to Selected Members.

THAT the Committee of Selection shall, after the name of any Member shall have been added by them to the Speaker's List, direct the Clerk attending them to give notice as soon as possible to such Member of his Name having been so added, and of the time when the Committee on the Bill shall have been appointed to meet.

50.

What Bills not to be considered opposed.

THAT the Committee of Selection shall consider no Bill as an opposed Private Bill where no Petition has been presented in which the Petitioners pray to be heard by themselves, their Counsel or Agents, unless in cases where the Chairman of Ways and Means shall have reported to The House that in his opinion any Bill should be so treated.

51.

Unopposed Bills to be referred to the Chairman of Ways and Means, &c.

THAT the Committee of Selection shall refer every unopposed Private Bill referred to them, and which shall have originated in this House, to the Chairman of the Committee of Ways and Means, together with the Members ordered to prepare and bring in the Bill; and shall refer every unopposed Private Bill referred to them, which shall have been brought from the House of Lords, to the Chairman of the Committee of Ways and Means, together with not less than *Two* other Members, to be named by the Committee of Selection.

52.

Committee of Selection to appoint First Sitting of Committee.

THAT the Committee of Selection shall, subject to the order that there be *Seven* clear days between the Second Reading of every Private Bill and the Sitting of the Committee thereupon, fix the time for holding the *First Sitting* of every Committee on a Private Bill referred to them; but in the case of unopposed Private Bills, after communication with the Members who are to form the Committee on such Bill.

53.

Postponement of First Sitting.

THAT no Postponement of the First Sitting of any Committee on a Private Bill shall take place, unless such Postponement, and the Duration of it, shall have been sanctioned by the Committee of Selection.

Committee on the Bill.

DUTY OF THE COMMITTEE ON THE BILL.

Orders specially relating to the Committee on an Opposed Bill.

54.

That each Member appointed to serve as a Member of a Committee on an opposed Private Bill, whether he be on the Speaker's List or one of the Selected Members, before he be entitled to attend and vote on such Committee, shall (according to the class to which he may belong) sign one of the following Declarations. Members of Committee to sign Declaration.

55.

That the following shall be the several Forms of Declaration :— Declaration of Member on Speaker's List.

No. 1.—Declaration of a Member whose Name is on the List prepared under the direction of Mr. Speaker for . . . .

I, A. B., being one of the Members whose name is on the List prepared under the direction of Mr. Speaker, to which List the Bill for . . . . . has been committed, do hereby declare, That I will never vote on any question which may arise without having duly heard and attended to the Evidence relating thereto.

Memorandum.—*The Declaration, signed as aforesaid, must be delivered to the Clerk of the Committee on the Bill before the Committee shall proceed to appoint a Chairman, otherwise the Member signing the same shall not be entitled to attend or vote.*

No. 2.—The Declaration of a Member whose Name has been added to the List prepared under the direction of Mr. Speaker by the Committee of Selection, his constituents having no local interest in the Bill for . . . . . Declaration of selected Member.

I, C. D., being one of the Members selected and added to the List by the Committee of Selection, to which List the Bill for . . . . . has been committed, do hereby declare, That my constituents have no local interest, and that I have no personal interest, in such Bill ; and that I will never vote on any question which may arise without having duly heard and attended to the Evidence relating thereto.

Memorandum.—*The Declaration, signed as aforesaid, must be delivered to the Clerk of the Committee on the Bill before the Committee shall proceed to appoint a Chairman, otherwise the Member signing the same shall not be entitled to attend or vote.*

56.

That the Committee Clerk shall furnish to each Member appointed to serve on a Committee on a Private Bill, who shall apply for the same, a Form of one of the above Declarations, according to the class to which the Member may belong ; and Form of Declaration supplied by Clerk.

Committee on the Bill.

that such application shall be made to the Committee Clerk, either in the Committee Clerks' Office, previous to the time when the Committee shall have been appointed to meet, or in the Committee Room, previous to the door thereof being locked, as hereinafter directed.

57.

When Member not entitled to attend or vote.

THAT no Member shall be entitled to attend or vote in a Committee on an opposed Private Bill, who shall not have delivered his Declaration to the Clerk, previous to the time when the door of the Committee Room shall be locked for the appointment of the Chairman, and who shall not have been present at such appointment.

58.

Quorum to be always present.

THAT Five Members (including the Quorum of Selected Members) shall be the Quorum of every Committee on an opposed Private Bill, and that no such Committee shall proceed to business, or continue their inquiry or deliberations, unless such number of Members appointed and duly qualified to serve on such Committee shall be present.

59.

When Proceedings of Committee to commence.

THAT so soon after the expiration of *ten minutes*, and not sooner, after the time appointed for the first sitting of a Committee on an opposed Private Bill, as there shall be present at least *Five* Members appointed and duly qualified to serve on such Committee (including a Quorum of Selected Members), the Clerk shall direct the Messenger in attendance on the Committee to clear the room of all strangers, and to lock the door of the Committee Room; and the Members then present shall proceed to appoint a Chairman.

60.

Chairman to be a Selected Member.

THAT the Member to be appointed the Chairman of each Committee on an opposed Private Bill shall be one of the Selected Members.

61.

Proceedings to be suspended if Quorum not present.

THAT if at any time during the sitting of the Committee a Quorum of the Selected Members shall not be present, the Chairman of the Committee shall suspend the proceedings of such Committee until such Quorum shall be present; and that if at the expiration of *one hour* from the time fixed for the meeting of the Committee, or from the time when the Chairman shall so have suspended the proceedings of such Committee, a Quorum of the Selected Members shall not be present, the Chairman shall *adjourn* the Committee until Twelve of the clock of the day on which The House shall next meet, and report to The House the circumstances of the case.

62.

Absence of Quorum by Death or otherwise to be reported.

THAT if at any time after the Committee on a Bill shall have been formed, a Quorum of Members required by the Standing Orders cannot attend in consequence of any of the Members who

Committee on the Bill.

who shall have duly qualified to serve on such Committee having become incompetent to continue such service by having been placed on an Election Committee, or by death or otherwise, the Chairman shall report the circumstances of the case to The House, in order that such measures may be taken by The House as shall enable the Members still remaining on the Committee to proceed with the business referred to such Committee, or as the exigency of the case may require.

63.

Petition against Bill not to be considered except grounds of objection sufficiently specified.

That no Petition against a Private Bill be taken into consideration by the Committee on such Bill, which shall not distinctly specify the ground on which the Petitioners object to any of the provisions thereof; and that the Petitioners be only heard on such grounds so stated; and if it shall appear to the said Committee, that such grounds are not specified with sufficient accuracy, the Committee may direct that there be given in to the Committee a more specific Statement, in writing, but limited to such grounds of Objection so inaccurately specified.

64.

Petition against Bill to be presented Three days before first day appointed for meeting.

That no Petitioners against any Private Bill shall be heard before the Committee on the Bill, unless the Petition shall have been presented to this House *Three* clear *days* before the day appointed for the first meeting of such Committee, unless the Petitioners shall complain of any matter which may have arisen during the progress of the Bill before the said Committee.

Orders specially relating to the Committee on an Unopposed Bill.

65.

What Chairman to be appointed.

That the Chairman of the Committee of Ways and Means shall be the Chairman of the Committee on every unopposed Private Bill (not being a Divorce Bill), and that such Chairman and one of the other Members of the Committee shall be the Quorum thereof.

66.

Chairman at liberty to report that any Bill should be treated as opposed.

That the Chairman of the Committee on every unopposed Private Bill (not being a Divorce Bill), shall be at liberty, at any period after such Bill shall have been referred to him and the other Members of the Committee, to report his opinion to The House (if he shall think fit), that such Bill should be treated as an opposed Private Bill; in which case such Bill shall be again referred to the Committee of Selection, and shall be dealt with by them as an opposed Private Bill.

67.

Filled-up Bills to be laid before Chairmanand Committee.

That a filled-up Bill, signed by the Agent for the Bill, as proposed to be submitted to the Committee, be laid by him before such Chairman at the time of giving notice of the meeting of the Committee on the Bill, and that similar copies be also laid by the Agent for the Bill before the other Members of the said Committee *Three days* at the least before the *First Meeting* thereof.

Committee on the Bill.

ORDERS relating to COMMITTEES on BILLS, whether OPPOSED or UNOPPOSED.

68.

Names of Members to be entered on Minutes.

THAT the Names of the Members attending each Committee be entered by the Clerk on the Minutes of the Committee; and if any Division shall take place in the Committee, the Clerk do take down the Names of Members voting in any such Division, distinguishing on which side of the question they respectively vote, and that such Lists be given in with the Report to The House.

69.

Committee on Bill not to inquire into certain Standing Orders.

THAT no Committee shall have power to examine into the compliance or non-compliance with such Standing Orders as are directed to be proved before the Select Committee on Petitions for Private Bills, unless by special order of The House.

70.

Standing Orders and Consents may be proved on Affidavit.

Scotland.

THAT in the case of any Private Bill relating to *Scotland*, the Committee may admit proof of the compliance with the Standing Orders of this House, and of the Consents of Parties concerned in interest in such Private Bill, on the production of Affidavits sworn before any Sheriff Depute or his Substitute there, whose Certificate shall be admitted as evidence of such proof having been made, unless the Committee shall require further evidence.

71.

Standing Orders and Consents may be proved on Affidavit.

Ireland.

THAT in the case of any Private Bill relating to *Ireland*, the Committee may admit proof of the compliance with the Standing Orders of The House, and of the Consents of Parties concerned in interest in such Private Bill, on the production of Affidavits sworn before any Judge or Assistant Barrister of that part of the United Kingdom, whose Certificate shall be admitted as evidence of such proof having been made, unless the Committee shall require further evidence.

72.

Consents in all other Cases.

THAT in all other instances, the Committee may admit proof of the Consents of Parties concerned in interest in any Private Bill, on the production of Certificates in writing of such Parties, whose Signature to such Certificate shall be proved by *one* or more Witnesses, unless the Committee shall require further Evidence.

73.

Clause compelling payment of Subscriptions, and to take Security from Treasurers, &c.

THAT in all Bills presented to The House for carrying on any Work by means of a Company, Commissioners or Trustees, Provision be made for compelling Persons who have subscribed any Money towards carrying any such Work into execution, to make payment of the Sums severally subscribed by them, and also to oblige the Company, Commissioners or Trustees to take Security from their Treasurer, Receiver or Collector for the faithful execution of his office.

74.

Account of Receipts and Expenditure

THAT in all Bills, whereby any Parties are authorized to levy Fees, Tolls or other Rate or Charge, a Clause be inserted, enacting,

Committee on the Bill.

enacting, that an Annual Account, in Abstract, be prepared of the total Receipts and Expenditure of all Funds levied under such Bill for the past year, under the several distinct heads of Receipts and Expenditure, with a Statement of the Balance of the said Account, duly audited and certified by the Directors, Managers, or Auditors thereof; and that a copy of such Annual Account be transmitted, free of charge, to the Clerk of the Peace, (or in Scotland to the Sheriff Clerk) for the County, or to the Clerk of the City or Borough within which the Chief Office for the management of such Funds shall be situated, on or before the *Thirty-first* day of *January* in each year, under a sufficient Penalty for not preparing and sending in the said Account, to be levied by summary process; the said Account to be open at all seasonable hours to the inspection of the Public upon payment of a Fee.

to be annually transmitted to Clerk of the Peace, &c.

75.

Level of Roads.

That where the level of any Road shall be altered in making any Public Work, the ascent of any Turnpike Road shall not be more than one foot in 30 feet; and of any other public Carriage Road not more than one foot in 20 feet; and that a good and sufficient fence, of four feet high at the least, shall be made on each side of every Bridge which shall be erected.

Fence to Bridges.

76.

Plan, &c., to be signed by Chairman.

That every Plan, and Book of Reference thereto, which shall be produced in evidence before the Committee upon any Private Bill (whether the same shall have been previously lodged in the Private Bill Office, or not,) shall be signed by the Chairman of such Committee with his Name at length; and he shall also mark with the Initials of his Name every Alteration of such Plan and Book of Reference, which shall be agreed upon by the said Committee; and every such Plan and Book of Reference shall thereafter be deposited in the Private Bill Office.

77.

Committee Bill and Clauses to be signed by Chairman.

That the Chairman of the Committee do sign, with his Name at length, a printed Copy of the Bill (to be called the Committee Bill) on which the Amendments are to be fairly written; and also sign, with the Initials of his Name, the several Clauses added in the Committee.

78.

Chairman to report on allegations of Bill, &c.

That the Chairman of the Committee, upon the Report of every Private Bill, do acquaint The House, that the Allegations of the Bill have been examined; and whether the Parties concerned have given their Consent, (where such Consent is required by the Standing Orders,) to the satisfaction of the Committee.

79.

Committee to report Bill in all cases.

That every Committee to whom any Private Bill shall have been referred shall report the Bill to The House, whether such Committee shall or shall not have agreed to the Preamble, or gone through the several Clauses, or any of them.

Committee on the Bill.

80.

Minutes of Committee.

THAT the Minutes of the Committee on every Private Bill be brought up and laid on the Table of The House, with the Report of the Bill.

Railway Bills.

81.

Restrictions as to Mortgage.

THAT in the case of a Railway Bill, no Company shall be authorized to raise, by Loan or Mortgage, a larger sum than *One-third* of their capital; and that, until *Fifty per cent.* on the whole of the capital shall have been paid up, it shall not be in the power of the Company to raise any Money by Loan or Mortgage.

82.

Level of Roads.

THAT where the level of any Road shall be altered in making any Railway, the ascent of any Turnpike Road shall not be more than one foot in 30 feet; and of any other public Carriage Road not more than one foot in 20 feet; and that a good and

Fence to Bridges.

sufficient fence, of four feet high at the least, shall be made on each side of every Bridge which shall be erected.

83.

Railways not to cross Turnpike Roads, &c., on same Level.

THAT no Railway whereon Carriages are propelled by Steam shall be made across any Turnpike Road or other public Carriageway on the level, unless the Committee on the Bill report that such a restriction ought not to be enforced, with the reasons and facts upon which their opinion is founded.

84.

THAT in the case of a Railway Bill, the Committee report specially:—

Capital.

1. The proposed Capital of the Company formed for the execution of the project, and the amount of any Loans which they may be empowered to raise by the Bill.

Shares, &c.

2. The amount of Shares subscribed for, and the Deposits paid thereon.

Names, &c., of Directors.

3. The Names and Places of Residence of the Directors or Provisional Committee, with the amount of Shares taken by each.

Local Shareholders.

4. The number of Shareholders who may be considered as having a local interest in the line, and the amount of Capital subscribed for by them.

Other parties, &c.

5. The number of other Parties, and the Capital taken by them.

Subscribers for 2,000*l.* and upwards.

6. The number of Shareholders subscribing for 2,000*l.* and upwards, with their Names and Residences, and the amount for which they have subscribed.

Present means of conveyance.

7. The sufficiency or insufficiency for Agricultural, Commercial, Manufacturing or other purposes, of the present means of conveyance, and of communication between the proposed termini, stating the present amount of traffic by land or water, the average charges made for Passengers and Goods, and time occupied.

8. The

8. The number of Passengers, and the weight and description of the Goods expected upon the proposed Railway. Passengers, &c., expected.

9. The amount of Income expected to arise from the conveyance of Passengers and Goods, and in what proportion; stating also generally the description of Goods from which the largest revenue is anticipated. Income expected.

10. Whether the proposed Railway be a complete and integral line between the termini specified, or a part of a more extended plan now in contemplation, and likely to be hereafter submitted to Parliament, and to what extent the calculations of remuneration depend on such contemplated extension of the line. Whether Railway be a complete Line, or part of a more extended Plan.

11. Whether any, and what, competing lines of Railway there are existing, and whether any, and what, are in progress or contemplation, and to state, so far as circumstances will permit, in what respects the proposed line is superior or inferior to the other lines; but that no line of Railway be deemed a competing line in contemplation, unless the Plan, Section and Book of Reference for the same shall have been deposited with the Clerks of the Peace and in the Private Bill Office respectively, as required by the Standing Orders. Competing Lines.

12. What planes on the Railway are proposed to be worked, either by assistant engines, stationary or locomotive, with the respective lengths and inclinations of such planes. Assistant Engines.

13. Any peculiar engineering difficulties in the proposed line, and the manner in which it is intended they should be overcome. Engineering difficulties.

14. The length, breadth, and height, and means of ventilation, of any proposed tunnels, and whether the strata through which they are to pass are favourable or otherwise. Ventilation of Tunnels.

15. Whether in the lines proposed, the gradients and curves are generally favourable or otherwise, and the steepest gradient, exclusive of the inclined planes above referred to, and the smallest radius of a curve. Gradients and Curves.

16. The length of the main line of the proposed Railway, and of its branches respectively. Length of Line.

17. Whether it be intended that the Railway should pass on a level any Turnpike Road or Highway, and if so, to call the particular attention of The House to that circumstance. Passing Highways on a level.

18. The amount of the Estimates of the cost or other expenses to be incurred up to the time of the completion of the Railway, and whether they appear to be supported by evidence, and to be fully adequate for the purpose. Estimates.

19. The estimated charge of the Annual Expenses of the Railway when completed, and how far the calculations on which the charge is estimated have been sufficiently proved. Annual Expenses.

20. Whether the calculations proved in evidence before the Committee have satisfactorily established that the Revenue is likely to be sufficient to support the Annual Charges of the maintenance of the Railway, and still allow profit to the Projectors. Revenue in reference to annual charge.

21. The number of assents, dissents and neuters upon the line, and the length and amount of Property belonging to each class traversed by the said Railway, distinguishing Owners from Occupiers; Assents.

Committee on the Bill.

piers; and in the case of any Bill to vary the original Line, the above particulars with reference to such Parties only as may be affected by the proposed deviation.

Engineers examined.

22. The Name of each Engineer examined in support of the Bill, and of any examined in opposition to it.

Petitions in opposition.

23. The main allegations of every Petition which may have been referred to the Committee in opposition to the Preamble of the Bill, or to any of its Clauses; and whether the allegations have been considered by the Committee, and if not considered, the cause of their not having been so.

Fitness in an engineering point of view, and any other circumstances.

And the Committee shall also report generally as to the fitness, in an engineering point of view, of the projected line of Railway, and any circumstances which, in the opinion of the Committee, it is desirable The House should be informed of.

85.

THAT in all Railway Bills there be inserted the following Clauses:

Railway not to be proceeded with till certain Plans, &c., deposited.

"And be it further Enacted, That it shall not be lawful for the said Company to proceed in the execution of the said Railway hereinbefore authorized to be made unless the said Company shall have, previously to the commencement of such Work, deposited with the Clerk of the Peace of the several counties in *England* or *Ireland*, and in the Office of the Principal Sheriff-Clerk in every county in *Scotland*, in or through which the said Railway hereby authorized to be made is intended to pass, a Plan and Section of all such alterations from the original Plan and Section as shall have been approved of by Parliament, on the same scale and containing the same particulars as the original Plan and Section of the Railway; and also with the Clerks of the several Parishes in *England*, the Schoolmasters of the several Parishes in *Scotland*, (or in Royal Burghs with the Town Clerk), and the Postmasters of the Post-towns in or nearest to such Parishes in *Ireland*, in or through which such alterations shall have been authorized to be made, copies or extracts of or from such Plans and Sections as shall relate to such Parishes respectively; and all persons interested shall have liberty to inspect and make extracts from or copies of the said Plans and Sections, or extracts or copies thereof, paying to the Officer having the custody of such Plan and Section, or of such extract or copy, the sum of One Shilling for every such inspection, and after the rate of Sixpence for every One hundred words copied therefrom."

Limiting Deviations from Datum Line described on the Section, &c.

"And be it further Enacted, That in making the said Railway it shall not be lawful for the said Company to deviate from the Levels of the said Railway as referred to the common Datum Line described on the Section so approved of by Parliament, and as marked on the same, to any extent exceeding in any place *Five Feet*, or in passing through Towns *Two Feet*, without the consent of the Owners, Lessees, and Occupiers of the Land in, through or over which such deviation is intended to be made; or in case any Street or public Carriage Road shall be affected by such deviation, then the same shall not be made without the consent of the Trustees or Commissioners, or, if there be no such Trustees or Commissioners, without the consent of *Two* or more Justices of the

Committee on the Bill.

the Peace in Petty Sessions assembled for that purpose, and acting for the district in which such Street or public Carriage Road may be situate, or without the consent of the Commissioners for any public Sewers, or the proprietors of any Canal or Navigation affected by such deviation; and that no increase in the inclination or gradients of the said Railway, as denoted by the said Section, shall be made in any place to an extent exceeding the rate of *Three Feet* per Mile; and where in any place it is intended to carry the Railway on an Arch or Arches, as marked on the said Plan or Section, the same shall be made accordingly; and where a Tunnel is marked on the said Plan or Section as intended to be made at any place, the same shall be made accordingly, unless the Owners, Lessees, and Occupiers of the Land in or through which such Tunnel is intended to be made shall consent that the same shall not be so made: Provided nevertheless, That it shall be lawful for the said Company, with such consent as aforesaid, and not otherwise, to make a Tunnel or an Arch or Arches as aforesaid not marked on the said Plan or Section, so that no such Tunnel shall be of greater length than *Two hundred Yards*, and that no two Tunnels be at a less distance from each other than *One hundred Yards* measured on the Line of the Railway: Provided always, That Notice of every Petty Sessions to be holden for the purpose of obtaining such consent as aforesaid shall, *Fourteen Days* previous to the holding of such Petty Sessions, be given in some Newspaper circulating in the county, and also to be affixed upon the Church-door of the Parish in which such deviation or alteration is intended to be made, or if there be no Church, some other place to which Notices are usually affixed: And provided also, That for the purpose of consenting to any such deviation from the said Sections, and to any Tunnelling or Arching as aforesaid, the word "Owners" shall be deemed and taken to mean such persons as are herein capacitated to agree for the sale of and to convey Land for the making of the said Railway; and the consent of such persons, with or without the consent of any other persons interested as Owners in the said Lands, shall be deemed and taken to be sufficient for such purposes.

Limiting Alteration of Curves.

"And be it further Enacted, That it shall not be lawful to diminish the radius of any curve as described on the Plan deposited with the Clerk of the Peace, or Principal Sheriff-Clerk, unless such radius exceed one mile, nor to diminish it in any such case so that it shall become less than one mile, nor to diminish any greater radius by more than a quarter of a mile, unless where it exceeds two miles, or by more than half a mile, unless where it exceeds three miles on the said Plan."

Letters Patent.

86.

Copy of Letters Patent to be annexed to the Bill.

THAT when any Bill shall be brought into The House, for confirming of Letters Patent, there be a true Copy of such Letters Patent annexed to the Bill.

Committee on the Bill.

Inclosure Bills.

87.

Notices and Allegations.

THAT in the case of any Bill for inclosing Lands, the Committee may admit proof of the Notices required by the Standing Orders, and of the Allegations in the Preamble of such Bill, by Affidavit taken and authenticated, according to the form prescribed in the Gen. Inc. Act. Schedule to the General Inclosure Act (41 GEO. III. c. 109,) unless such Committee shall otherwise order.

88.

Consent Bill and Statement of Property to be delivered in.

THAT the Committee on every Bill for inclosing Lands shall in the first place require the Agent soliciting the same to deliver in to the Committee a printed copy of the Bill, signed by the Lord of the Manor, and by such Owners of Property within the Parish to which the Bill relates as shall have assented thereto; but that the Parties, if they shall think fit, be permitted to deliver in different copies of the Bill, separately signed by the several Parties hereinbefore mentioned, instead of one copy, signed by all of them collectively; together with a List of all the Owners of Property within such Parish, showing the value according to the Poor Rate or Land Tax Assessment of each Owner's Property therein, and distinguishing which of them have assented, dissented, or are neuter in respect thereto.

89.

Clause for leaving open Space for exercise and recreation.

THAT in every Bill for inclosing Lands, provision be made for leaving an open space in the most appropriate situation, sufficient for purposes of exercise and recreation of the neighbouring population; and that the Committee on the Bill have before them the number of acres proposed to be inclosed, as also of the population in the parishes or places in which the land to be inclosed is situate; and also do see that provision is made for the efficient fencing of the allotment, for the investment of the same in the Churchwardens and Overseers of the parish in which such open space is reserved, and for the efficient making and permanent maintenance of the fences by such parish; and that in any case where the information hereby required is not given, and the required provisions are not made in the Bill, the Committee on the same do report specially to The House the reasons for not complying with such Order.

90.

Consent Bill to contain Names of Commissioners, and Compensations for Manorial Rights, Tithes, and Enfranchisements.

THAT in every Bill for inclosing Lands, the Names of the Commissioners proposed to be appointed, and the Compensation intended for the Lord of the Manor, and the Owners of Tithes, in lieu of their respective Rights, and also the Compensation intended to be made for the enfranchisement of Copyholds, where any Bargains or Agreements have been made for such Compensations, be inserted in the copy of the Bill presented to The House: And that all copies of such Bills which shall be sent to any of the Persons interested in the said Manor, Tithes, Lands or Commons, for their Consent, do contain the Names of such proposed Commissioners, and also the Compensations so bargained or agreed for.

Committee on the Bill.

91.

THAT no Person shall be named in any Bill for inclosing Lands as a Commissioner, Umpire, Surveyor or Valuer, who shall be interested in the Inclosure to be made by virtue of such Bill; or the Agent ordinarily intrusted with the care, superintendence, or management of the Estate of any Person so interested.

Disqualification of certain Persons as Commissioners, Surveyors, &c.

92.

THAT in every Bill for inclosing, draining or improving Lands there be inserted a Clause, providing what sum of Money in the whole, or by the day, shall be paid to each of the Commissioners to be appointed by such Bill, in satisfaction of the expense and trouble which he shall incur in the execution of the powers thereby given; and that there be also inserted in such Bill a Clause, providing that the Account of such Commissioner or Commissioners, containing a true statement of all Sums by him or them received and expended or due to him or them for their own trouble or expenses, shall, at least once in every year, from the date of the passing of the Act till such Accounts shall be finally allowed, together with the Vouchers relating to the same, be examined by some Person or Persons to be appointed by the Bill, and the Balance by him or them stated in the Book of Accounts required to be kept in the Office of the Clerk of such Commissioners; and that no charge or item in such Accounts shall be binding on the Parties concerned, or be valid in law, unless the same shall be duly allowed by such Person or Persons.

Clauses for settling Pay of Commissioners, and passing their Accounts.

Turnpike Roads (Ireland).

93.

THAT in every Bill for making a Turnpike Road in Ireland, or for the continuing or amending any Act passed for that purpose, or for the increase or alteration of the existing Tolls, Rates or Duties upon any such Road, or for widening or diverting any such Road, a Clause be inserted, to prevent any Person who shall be nominated a Commissioner, from acting or voting in the business of the said Turnpike, unless he shall be possessed of an Estate in Land, or of a Personal Estate, to such certain value as shall be specified in such Bills; and that such Qualification be extended to the Heirs apparent of Persons possessed of an Estate in Land to a certain value to be specified.

Clause for Qualification of Commissioners.

DUTY OF SELECT COMMITTEE ON DIVORCE BILLS.

94.

What Evidence to be given in Divorce Cases.

THAT the Select Committee on Divorce Bills shall require evidence to be given before them that an action for damages has been brought in one of Her Majesty's Courts of Record at Westminster, or in one of Her Majesty's Courts of Record in Dublin, or in one of Her Majesty's Supreme Courts of Judicature of the Presidencies of Calcutta, Madras, Bombay or the Island of Ceylon, respectively, against the persons supposed to have been guilty of Adultery, and judgment for the plaintiff had thereupon; or sufficient cause to be shown to the satisfaction of the said Committee why such action was not brought, or such judgment was not obtained.

95.

When Petitioner for Bill to attend Committee.

THAT the Select Committee on Divorce Bills shall, in all cases in which the Petitioner for the Bill has attended the House of Lords upon the Second Reading of the Bill, require him to attend before them to answer any questions they may think fit that he should answer.

96.

Committee to report Bill in all cases.

THAT the Select Committee on Divorce Bills shall report every such Bill to The House, whether such Committee shall or shall not have agreed to the Preamble, or gone through the several Clauses, or any of them.

III.

THE ORDERS REGULATING THE PRACTICE OF THE HOUSE WITH REGARD TO PRIVATE BILLS.

Practice of the House.

PRACTICE OF THE HOUSE WITH REGARD TO PRIVATE BILLS.

97.

THAT no Private Bill be brought into this House, but upon a Petition first presented, with a printed copy of the proposed Bill annexed: And that such Petition be signed by the Parties, or some of them, who are Suitors for the Bill.

Petition for Bill, and how to be signed.

98.

THAT all Petitions for Private Bills be presented within *Twenty-one* days after the *First Friday* in every Session of Parliament.

Petitions, when to be presented.

99.

THAT there be *Ten* clear days between the day on which the Petition for any Private Bill relating to *England* shall be presented, and the day on which the Sub-Committee shall sit thereupon; and *Fifteen* days, in case such Bill shall relate to *Scotland* or *Ireland*.

Time between presentation of Petition and Meeting of Sub-Committee.

100.

THAT every Private Bill printed on paper, of a size to be determined upon by Mr. Speaker, be presented to The House, with a Cover of Parchment attached to it, upon which the Title of the Bill is to be written; and the short Title of the Bill, as first entered on the Votes, shall be in accordance with the subject matter of the Bill, and shall not be changed unless by special order of The House.

Printed Bill to be presented.

101.

THAT the proposed amount of all Rates, Tolls, and other matters heretofore left blank in any Private Bill when presented to The House, be inserted in *Italics* in the printed Bill.

Rates, Tolls and other Matters to be inserted in *Italics*.

102.

THAT every Private Bill (except Divorce, Name, and Naturalization Bills) be printed; and printed copies thereof delivered to the door-keepers for the use of the Members before the First Reading.

What Bills to be printed, and when.

103.

THAT there be *Three* clear *days* between the First and Second Reading of every Private Bill.

Time between First and Second Reading.

104.

THAT this House will not receive any Petition complaining solely of a non-compliance with the Standing Orders of The House in respect of any Private Bill, subsequently to the Second Reading of such Bill, unless in the case of those Standing Orders which must necessarily be taken into consideration by the Committee on the Bill.

No Petition complaining of Standing Orders—subsequent to Second Reading of Bills.

Practice of the House.

105.

Second Reading not to take place till Two Months after last Notice.

THAT no Private Bill be read a *Second* time, until after the expiration of *Two calendar months* from the day the last Notice shall have been given in the Newspaper.

106.

Breviate to be prepared.

THAT a Breviate of every Private Bill be prepared under the direction of Mr. Speaker, and that such Breviate shall contain a Statement of the Object of the Bill and a Summary of the proposed Enactments, and shall state any variation from the general law which will be effected by the Bill, and whether the Title of the Bill is conformable to the order of Leave.

107.

Breviate to be laid on Table Three days before Second Reading of Bill.

THAT no Private Bill (except Divorce, Name, Naturalization, and Estate Bills, not relating to Crown, Church or Corporation Property, or Property held in trust for public or charitable purposes) be read a *Second* time until *Three* clear *days* after a Breviate thereof shall have been laid on the Table of The House, and have been printed.

108.

When Fees to be paid.

THAT no Private Bill, or Clause, for the particular interest or benefit of any Person or Persons, County or Counties, Corporation or Corporations, or Body or Bodies of People, be read a Second time, unless Fees be paid for the same.

109.

Bills referred to Committee of Selection.

THAT every Private Bill, not being a Divorce Bill, after having been read a Second time and committed, shall be referred to the Committee of Selection.

110.

Time between Second Reading and Committee.

THAT there be *Seven* clear *days* between the Second Reading of every Private Bill, and the sitting of the Committee thereupon.

111.

Report of Bill when printed as amended, to lie on Table.

THAT the Report upon every Private Bill ordered to be printed as amended in Committee, shall lie upon the Table.

112.

Breviates of Bills amended in Committee to be laid before Chairman of Ways and Means, &c.

THAT a Breviate of the amendments made in every Committee on a Private Bill be submitted to the Chairman of the Committee of Ways and Means, and also laid upon the Table of The House at least the day previous to the consideration of the Report of such Bill.

113.

Bill to be printed after report.

THAT every Private Bill, as amended in Committee, excepting in the cases wherein the Committee shall report the amendments to be merely verbal or literal, be printed at the expense of the Parties applying for the same; and be delivered to the Doorkeepers for the use of the Members, *Three* clear *days* at least before the consideration of the Report.

114. THAT

Practice of the House.

114.

THAT in order to afford time for the proper discussion of the *Reports* on *Railway Bills* included in the second class, this House will upon *every Tuesday* proceed at *Five* o'clock to the consideration of Reports on such Bills.

Reports on Railway Bills to be discussed upon every Tuesday.

115.

THAT no Private Bill shall pass through two stages on one and the same day without the special leave of The House.

Bill not to proceed two stages on same day.

116.

THAT (except in cases of urgent and pressing necessity) no motion be made to dispense with any Sessional or Standing Order of The House without due notice thereof.

Notice to be given of motion for dispensation.

IV.

THE ORDERS REGULATING THE PRACTICE IN THE PRIVATE BILL OFFICE.

Practice in the Private Bill Office.

PRIVATE BILL OFFICE.

117.

Private Bill Office and Register.

THAT a Book, to be called "THE PRIVATE BILL REGISTER," be kept in a Room, to be called "THE PRIVATE BILL OFFICE," in which Book shall be entered by the Clerks appointed for the business of that Office, the Name, Description and Place of Residence of the Parliamentary Agent in Town, and of the Agent in the Country (if any) soliciting the Bill; and all the Proceedings, from the Petition to the passing of the Bill:—Such Entry to specify, briefly, each day's Proceeding in The House, or in any Committee to which the Bill or Petition may be referred; the day and hour on which the Committee is appointed to sit; the day and hour to which such Committee may be adjourned, and the name of the Committee Clerk. Such Book to be open to public inspection daily, in the said Office, between the hours of Eleven and Six.

118.

Plans, &c. to be lodged.

THAT all Plans, Sections, Books of Reference, Lists of Owners and Occupiers, Estimates, Copies of the Subscription Contracts, and Declarations required by the Standing Orders of The House, be lodged in the Private Bill Office; and that the receipt thereof be acknowledged accordingly, by one of the Clerks of the said Office, upon the said Documents, and upon the Petition, before it is presented.

119.

Notice of Meeting of Sub-Committee on Petition, &c.

THAT *Ten* clear *days'* notice in writing be given by the Agent soliciting the Bill to the Clerks in the Private Bill Office of the meeting of any *Sub-Committee* on a Petition for a Private Bill, and *One* clear *day's* notice of the meeting of any Sub-Committee on an Estate Bill brought from the House of Lords.

120.

Notice of Postponement of Sub-Committee.

THAT *One* clear *day's* notice in writing be given by the Agent soliciting the Bill, to the Clerks in the Private Bill Office, of the postponement of the first meeting of any Sub-Committee on a Petition for a Private Bill, or on an Estate Bill brought from the House of Lords.

121.

Examination Book.

THAT after each Private Bill has been read the First time, its Name (or short Title) shall be copied by the Clerks of the Private Bill Office, from the Clerk's Minute Book of the day, into a separate Book, to be called "THE EXAMINATION BOOK;"—wherein shall be noted the number of such Bill, according to the priority of its being read, and the date of the day of such First Reading.

122.

Custody of Bills.

THAT every Private Bill, after it has been read the First time, and the Title copied and examined for the Votes, be in the custody of the Clerks of the Private Bill Office, until laid upon the Table for the Second Reading; and when committed, be taken by the proper Committee Clerk into his charge, till reported.

123.

Examination of Bill and Breviate.

THAT between the First and Second Reading of every Private Bill, every such Bill shall, according to its priority, be examined, with all practicable despatch, by the Clerks of the Private Bill Office, as to its conformity with the Rules and Standing Orders of The House; and if *not* in due form, the Examining Clerk shall specify thereon the page in which any irregularity occurs, and shall enter the day of such Examination, together with his own Name, in the Examination Book.

124.

Notice of Second Reading.

THAT *Three* clear *days'* Notice in writing be given by the Agent soliciting the Bill, to the Clerks in the Private Bill Office, of the day proposed for the Second Reading of every Private Bill.

125.

Notice of Committee.

THAT *Seven* clear *days'* Notice, and in the case of a re-committed Bill, *Three* clear *days'* Notice, in writing, be given by the Agent soliciting the Bill, to the Clerks in the Private Bill Office, of the day and hour appointed for the meeting of the Committee on every Private Bill; and that all Committee proceedings of which such Notice shall not have been given, be void.

126.

Filled-up Bill, to be deposited in Private Bill Office.

THAT a filled-up Bill, signed by the Agent soliciting the Bill, as proposed to be submitted to the Committee on the Bill, and in the case of a re-committed Bill, a filled-up Bill, as proposed to be submitted to the Committee on re-committal, be deposited in the Private Bill Office at the time of giving notice of the meeting of the Committee on every Private Bill; and that all Parties shall be entitled to a Copy thereof, upon payment of the Charges for making out Amendments of such Bill.

127.

Notice of Postponement.

THAT *One* clear *day*'s notice, in writing, countersigned by a Committee Clerk, be given by the Agent soliciting the Bill, to the Clerks in the Private Bill Office, of the postponement of the first meeting of any Committee on a Private Bill.

128.

Notice of Adjournment.

THAT Notice, in writing, be given by the Committee Clerk to the Clerks in the Private Bill Office, of the day and hour to which each Committee is adjourned.

129.

Notice of consideration of Report.

THAT *One* clear *day*'s Notice, in writing, be given by the Agent soliciting the Bill, to the Clerks in the Private Bill Office, of the day proposed for the consideration of the Report of every Private Bill ordered to lie upon the Table.

130.

Bill as amended in Committee to be delivered in.

THAT the Committee Clerk, after the Report is made out, do deliver in to the Private Bill Office a printed Copy of the Bill, with the written Amendments made in the Committee; in which Bill, all the Clauses added by the Committee shall be regularly marked in those parts of the Bill wherein they are to be inserted.

131. THAT

131.

Notice to be given of Clauses on consideration of Report or Third Reading.

That when it is intended to bring up any Clause or to propose any Amendment on the consideration of the Report, or on the Third Reading of any Private Bill, such Clause or Amendment shall be deposited, and Notice given thereof, in the Private Bill Office, on the day previous to such consideration of the Report or Third Reading.

132.

Notice of Third Reading.

That *One* clear *day*'s Notice, in writing, be given by the Agent soliciting the Bill, to the Clerks in the Private Bill Office, of the day proposed for the *Third Reading* of every Private Bill.

133.

Amendments on consideration of Report and Third Reading.

That the Amendments (if any) which are made upon the consideration of the Report and upon the Third Reading, be entered by one of the Clerks in the Private Bill Office, upon the printed Copy of the Bill as amended in Committee; which Clerk shall sign the said Copy so amended, in order to its being deposited and preserved in the said Office.

134.

Examination of Ingrossments.

That to insure the Accuracy of the Ingrossment of all Private Bills, the Clerk of the House be required to provide a sufficient number of Clerks, to be called Examiners of Ingrossments.

135.

Certificate of Examination.

That no Private Bill be read a Third time until a Certificate is indorsed upon the Paper Bill, and signed by one or more of the Examiners of Ingrossments, declaring that the Ingrossment thereof has been examined, and agrees with the Bill, as amended in Committee, and on the consideration of the Report.

136.

Notice of consideration of Lords' Amendments.

That when Amendments made by the House of Lords to any Private Bill sent up to them are to be taken into consideration, Notice be given thereof in the Private Bill Office, the day previous to the same being proposed to be taken into consideration.

137.

Time for delivering Notices.

That all *Notices* required to be given in the Private Bill Office be delivered in the said Office before *Six* of the clock in the *Evening* of any day on which The House shall sit, and before *Two* of the Clock on any day on which The House shall not sit; and that after any day on which The House shall have adjourned, no Notice shall be given for the first day on which it shall again sit.

138.

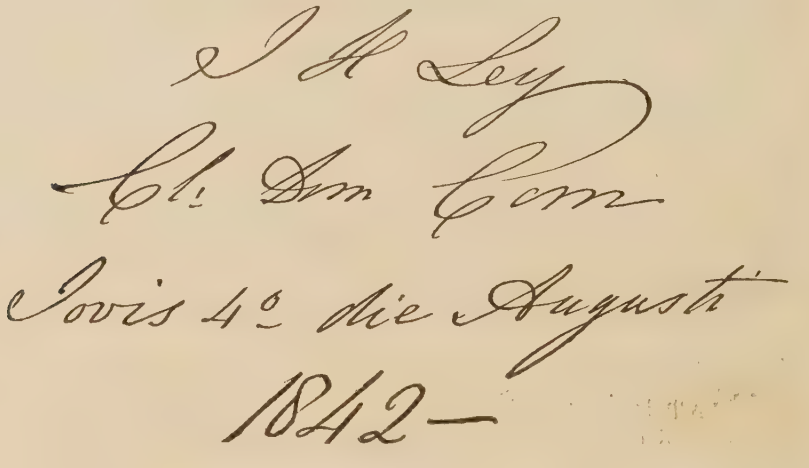
Daily Lists of Committees sitting.

That the Clerks in the Private Bill Office do prepare, daily, Lists of all Private Bills, and Petitions for Private Bills upon which any Committee is appointed to sit; specifying the hour of meeting; and the Room where the Committee shall sit; and that the same be hung up in the Lobby of The House.

139.

Plans to be verified as Mr. Speaker shall direct.

THAT every Plan, and Book of Reference thereto, which shall be certified by The Speaker of the House of Commons, in pursuance of any Act of Parliament, shall previously be ascertained, and verified in such manner as shall be deemed most advisable by The Speaker, to be exactly conformable in all respects to the Plan and Book of Reference which shall have been signed by the Chairman of the Committee upon the Bill.



APPENDIX.

[Form referred to in Page 17.]

(A.)

No.

Sir,

We beg to inform you, that Application is intended to be made to Parliament in the ensuing Session for "An Act" [*here insert the Title of the Act*], and that the Property mentioned in the annexed Schedule, or some Part thereof, in which we understand you are interested as therein stated, will be required for the Purposes of the said Undertaking, according to the Line thereof as at present laid out, or may be required to be taken under the usual Powers of Deviation to the Extent of Yards on either side of the said Line which will be applied for in the said Act, and will be passed through in the Manner mentioned in such Schedule.

We also beg to inform you, that a Plan and Section of the said Undertaking, with a Book of Reference thereto, has been or will be deposited with the several Clerks of the Peace of the Counties of [*specify the Counties in which the Property is situate*], on or before the 30th of November, and that Copies of so much of the said Plan and Section as relates to the Parish in which your Property is situate, with a Book of Reference thereto, has been or will be deposited for public Inspection with the Clerk of the said Parish, Schoolmaster of the Parish, Town Clerk of the Royal Burgh, or the Postmaster of the Post Town in or near such Parish [*as the case may be*], on or before the 31st day of December instant, on which Plans your Property is designated by the Numbers set forth in the annexed Schedule.

As we are required to report to Parliament whether you assent to or dissent from the proposed Undertaking, or whether you are neuter in respect thereto, you will oblige us by writing your Answer of Assent, Dissent or Neutrality in the Form left herewith, and returning the same to us with your Signature on or before the day of next; and if there should be any Error or Misdescription in the annexed Schedule, we shall feel obliged by your informing us thereof, at your earliest convenience, that we may correct the same without delay.

We are, Sir,

Your most obedient servants,

To

SCHEDULE referred to in the foregoing Notice, and which is intended to show the Property therein alluded to, and the Manner in which the Line of the deposited Section will affect the same.

—	Parish, Township, Townland or Extra-parochial Place.	Number on Plans.	Description.	Owner.	Lessee.	Occupier.	Description of the Section of the Line deposited, and of the greatest Height of Embankment and Depth of Cutting.
Property in the Line as at present laid out.							

—	Parish, Township, Townland, or Extra-parochial Place.	Number on Plans.	Description.	Owner.	Lessee.	Occupier.	
Property within the Limits of the Deviation intended to be applied for.							

Appendix (B.)

ANNO PRIMO VICTORIÆ REGINÆ.

Cap. LXXXIII.

AN ACT to compel Clerks of the Peace for Counties and other Persons to take the Custody of such Documents as shall be directed to be deposited with them under the Standing Orders of either House of Parliament.

WHEREAS the Houses of Parliament are in the habit of requiring that, previous to the introduction of any Bill into Parliament for making certain bridges, turnpike-roads, cuts, canals, reservoirs, acqueducts, waterworks, navigations, tunnels, archways, railways, piers, ports, harbours, ferries, docks and other works, to be made under the authority of Parliament, certain maps or plans and sections, and books and writings, or extracts or copies of or from certain maps, plans or sections, books and writings, shall be deposited in the office of the clerk of the peace for every county, riding or division in England or Ireland, or in the office of the sheriff clerk of every county in Scotland, in which such work is proposed to be made, and also with the parish clerk in every parish in England, the schoolmaster of every parish of Scotland, or in Royal Burghs with the town clerk, and the postmaster of the post town in or nearest to every parish in Ireland, in which such work is intended to be made, and with other persons: And whereas it is expedient that such maps, plans, sections, books, writings and copies or extracts of and from the same, should be received by the said clerks of the peace, sheriff clerks, parish clerks, schoolmasters, town clerks, postmasters and other persons, and should remain in their custody for the purposes hereinafter mentioned; BE it therefore Enacted by The Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, That whenever either of the Houses of Parliament shall by its Standing Orders, already made or hereafter to be made, require that any such maps, plans, sections, books or writings, or extracts or copies of the same, or any of them, shall be deposited as aforesaid, such maps, plans, sections, books, writings, copies and extracts shall be received by and shall remain with the clerks of the peace, sheriff clerks, parish clerks, schoolmasters, town clerks, postmasters and other persons with whom the same shall be directed by such Standing Orders to be deposited, and they are hereby respectively directed to receive and to retain the custody of all such documents and writings so directed to be deposited with them respectively, in the manner and for the purposes and under the rules and regulations concerning the same respectively directed by such Standing Orders, and shall make such memorials and endorsements on and give such acknowledgments and receipts in respect of the same respectively as shall be thereby directed.

Clerks of the Peace, &c. to receive the Documents herein mentioned, and retain them for the purposes directed by the Standing Orders of the Houses of Parliament.

II. And be it further Enacted, That all persons interested shall have liberty to, and the said clerks of the peace, sheriff clerks, parish clerks, schoolmasters, town clerks and postmasters, and every of them, are and is hereby required, at all reasonable hours of the day, to permit all persons interested to inspect during a reasonable time and make extracts from or copies of the said maps, plans, sections, books, writings, extracts and copies of or from the same, so deposited with them respectively, on payment by each person to the clerk of the peace, sheriff clerk, clerk of the parish, schoolmaster, town clerk or postmaster having the custody of any such map, plan, section, book, writing, extract or copy, One Shilling for every such inspection, and the further sum of One Shilling for every hour during which such inspection shall continue after the first hour, and after the rate of Sixpence for every One hundred words copied therefrom.

Clerks of the Peace, &c. to permit such Documents to be inspected or copied by persons interested.

III. And be it further Enacted, That in case any clerk of the peace, sheriff clerk, parish clerk, schoolmaster, town clerk, postmaster or other person, shall in any matter or thing refuse or neglect to comply with any of the provisions hereinbefore contained, every clerk of the peace, sheriff clerk, parish clerk, schoolmaster, town clerk, postmaster or other person shall for every such offence forfeit and pay any sum not exceeding the sum of Five Pounds; and every such penalty shall, upon proof of the offence before any Justice of the Peace for the county within which such offence shall be committed, or by the confession of the party offending, or by the oath of any credible witness, be levied and recovered, together with the costs of the proceedings for the recovery thereof, by distress and sale of the goods and effects of the party offending, by warrant under the hand of such Justice, which warrant such Justice is hereby empowered to grant, and shall be paid to the person or persons making such complaint; and it shall be lawful for any such Justice of the Peace to whom any complaint shall be made of any offence committed against this Act to summon the party complained of before him, and on such summons to hear and determine the matter of such complaint in a summary way, and on proof of the offence to convict the offender, and to adjudge him to pay the penalty or forfeiture incurred, and to proceed to recover the same, although no information in writing or in print shall have been exhibited or taken by or before such Justice; and all such proceedings by summons without information shall be as good, valid and effectual to all intents and purposes as if an information in writing had been exhibited.

Clerks of the Peace, &c. for every omission to comply with the provisions of this Act, liable to the Penalty of 5 *l.*, to be recovered in a summary way.

Appendix.

Appendix (C.)

ANNO PRIMO & SECUNDO VICTORIÆ REGINÆ.

Cap. CXVII.

AN ACT to provide for the Custody of certain Monies paid in pursuance of the Standing Orders of either House of Parliament by Subscribers to Works or Undertakings to be effected under the Authority of Parliament.

WHEREAS it is expedient to provide for the custody of any sums of money paid in pursuance of any Standing Order of the Lords Spiritual and Temporal in Parliament assembled, or of the Commons in Parliament assembled, by subscribers to works or undertakings to be made under the authority of an Act of Parliament; BE it therefore Enacted by The Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, That in all cases in which any sum of money is required by any Standing Order of either House of Parliament, either now or hereafter to be in force, to be paid by the subscribers to any work or undertaking which is to be executed under the authority of an Act of Parliament, if the director or person or directors or persons having the management of the affairs of any such proposed work or undertaking, or any Five of them, shall apply to the Chairman of the Committees of the House of Lords with respect to any such money required by any Standing Order of the Lords Spiritual and Temporal in Parliament assembled, or to The Speaker of the House of Commons with respect to any such money required by any Standing Order of the Commons in Parliament assembled, the said Chairman or the said Speaker may, by warrant or order under his hand, direct that such sum of money shall be paid in manner hereinafter mentioned; that is to say, into the Bank of England in the name and with the privity of the Accountant-general of the Court of Exchequer in England, if the work or undertaking in respect of which the sum of money is required to be paid is intended to be executed in that part of the United Kingdom called England; or into the Bank of England in the name and with the privity of the said Accountant-general, or into any of the Banks in Scotland established by Act of Parliament or Royal Charter in the name and with the privity of The Queen's Remembrancer of the Court of Exchequer in Scotland, at the option of the person or persons making such application as aforesaid, in case such work or undertaking is intended to be executed in that part of the United Kingdom called Scotland; or into the Bank of Ireland in the name and with the privity of the Accountant-general of the Court of Chancery in Ireland, in case such work or undertaking is intended to be made or executed in that part of the United Kingdom called Ireland; and every such application as aforesaid to the said Chairman or Speaker shall be made in writing, and be signed by the director or directors or person or persons having the management of the said work or undertaking, or by any Five of them; and therein shall be stated the name or description of such work or undertaking, and name and place of abode or the names and places of abode of such director or directors, person or persons, and the sum of money required to be paid, and the bank and name into and in which the same is to be paid; and such particulars shall also be set forth in every such warrant or order; and such warrant or order shall be a sufficient authority for the Accountant-general of the said Court of Exchequer in England, the Queen's Remembrancer of the Court of Exchequer in Scotland, and the Accountant-general of the Court of Chancery in Ireland respectively, to permit the sum of money directed to be paid by such warrant or order to be placed to an account opened or to be opened in his name in the Bank mentioned in such warrant or order.

Authority to Deposit.

II. And be it Enacted, That it shall be lawful for the person or persons named in such warrant or order, or the survivors or survivor of them, or any Five of them, to pay the sum of money mentioned in such warrant or order into the Bank mentioned in such warrant or order in the name and with the privity of the officer or person in whose name such sum shall be directed to be paid by such warrant or order, to be placed to his account there ex-parte the work or undertaking mentioned in such warrant or order; and every such sum so paid in, or the securities in or upon which the same may be invested as hereinafter mentioned, shall there remain until the same or such securities as aforesaid shall be paid out of such Bank in pursuance of the provisions of this Act: Provided always, That every sum paid into the Bank of England in the name and with the privity of the Accountant-general of the Court of Exchequer under the provisions of this Act, shall be paid in and placed to his account there pursuant to the method prescribed by an Act passed in the first year of the reign of his late Majesty King George the Fourth, intituled, "An Act for the better securing Money and Effects paid into the Court of Exchequer at Westminster on account of the Suitors of the said Court, and for the Appointment of an Accountant-general and Two Masters of the said Court, and for other Purposes, and pursuant to the General Orders of the said Court, and without Fee or Reward;" and every sum paid into the Bank of Ireland in the name and with the privity of the Accountant-general

Payment of Deposit.

1 G. 4. c. 35.

Accountant-general of the Court of Chancery in Ireland, under the provisions of this Act, shall be paid in and placed to his account pursuant to the method prescribed by an Act made and passed in the Parliament of Ireland in the twenty-third and twenty-fourth years of the reign of his late Majesty King GEORGE the Third, intituled, "An Act for the better securing the Monies and Effects of the Suitors of the Court of Chancery and Exchequer, by depositing the same in the National Bank, and to prevent the forging and counterfeiting any Draft, Order or other Voucher for the payment or Delivery of such Money and Effects, and for other Purposes," and pursuant to the general orders of the said Court, and without fee or reward. 23 & 24 G. 3. (I.)

Investment of Deposit.

III. And be it Enacted, That if the person or persons named in such warrant or order, or the survivor or survivors of them, or any Five of them, desire to have invested any sum so paid into the Bank of England or the Bank of Ireland, the court in the name of whose Accountant-general the same may have been paid, on a petition presented to such court in a summary way by him or them, may order that such sum shall, until the same be paid out of court in pursuance of this Act, be laid out in the Three per Centum Consolidated or Three per Centum Reduced Bank Annuities, or any Government security or securities.

Repayment of Deposit.

IV. And be it Enacted, That on the termination of the Session of Parliament in which the Petition or Bill for the purpose of making or sanctioning any such work or undertaking shall have been introduced into Parliament, or if such Petition or Bill shall be rejected or finally withdrawn by some proceeding in either House of Parliament, or shall not be allowed to proceed, or if an Act be passed authorizing the making of such work or undertaking; and if in any or either of the foregoing cases the person or persons named in such warrant or order, or the survivor or survivors of them, or the majority of such persons, apply by petition to the court in the name of whose Accountant-general the sum of money mentioned in such warrant or order shall have been paid, or to the Court of Exchequer in Scotland in case such sum of money shall have been paid in the name of the said Queen's Remembrancer, the court in the name of whose Accountant-general or Queen's Remembrancer such sum of money shall have been paid shall, by order, direct the sum of money paid in pursuance of such warrant or order, or the stocks, funds or securities in or upon which the same are invested, and the interest or dividends thereof, to be transferred and paid to the party or parties so applying, or to any other person or persons whom they may appoint in that behalf; but no such order shall be made in the case of any such Petition or Bill being rejected, or not being allowed to proceed, or withdrawn, unless it be proved by the certificate of the Chairman of Committees, if the said Petition or Bill was rejected or not allowed to proceed, or withdrawn in its passage through the House of Lords, or of the said Speaker, if the said Petition or Bill was rejected or not allowed to proceed, or withdrawn during its passage through the House of Commons, that the Petition or Bill has been either so rejected, or not allowed to proceed, or so withdrawn by some proceeding in one or other House of Parliament; which certificate the said Chairman or Speaker shall grant on the application in writing of the person or persons, or the majority of the persons, named in such warrant or order, or the survivor or survivors of them; and every such certificate shall be conclusive proof of such rejection, or not proceeding, or withdrawal.

REPORT FROM SELECT COMMITTEE

ON

Standing Orders Revision (1842);

AS AGREED TO BY THE HOUSE,

2d August 1842,

AND MADE

STANDING ORDERS

OF THE

HOUSE OF COMMONS.

Ordered, by The House of Commons, *to be Printed,*
2 *August* 1842.

[*Price 2 s.*]

530.

Under 12 oz.

REPORT

FROM THE

SELECT COMMITTEE

ON

STANDING ORDERS' REVISION;

WITH THE

MINUTES OF EVIDENCE,

APPENDIX,

AND

REVISED STANDING ORDERS.

Ordered, by The House of Commons, *to be Printed,*
10 *August* 1843.

Veneris, 7° *die Julii*, 1843.

Ordered, That a Select Committee be appointed "to consider whether any and what alterations in the Standing Orders of The House, respecting Private Bills, the experience of the present Session may show to be desirable, and to what extent, and under what restrictions, Committees on Private Bills may alter the Preambles of Private Bills."

Veneris, 14° *die Julii*, 1843.

And a Committee was nominated of—

Lord Granville Somerset.	Mr. Aglionby.
Sir George Grey.	Mr. Ewart.
Mr. Estcourt.	Sir Robert Ferguson.
Mr. Labouchere.	Viscount Sandon.
Mr. Greene.	Mr. Pendarves.
Mr. Strutt.	Mr. Miles.
Sir John Yarde Buller.	Mr. Loch.
Mr. Wilson Patten.	

Ordered, That the Committee have power to send for Persons, Papers, and Records; and that Five be the Quorum of the Committee.

Jovis, 10° *die Augusti*, 1843.

Ordered, That the Committee have power to report their Opinion, together with the Minutes of the Evidence taken before them, to The House.

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MINUTES OF EVIDENCE - - - - - - - - - p. 1
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REPORT

FROM THE

SELECT COMMITTEE ON STANDING ORDERS' REVISION.

(1843.)

THE SELECT COMMITTEE appointed to consider whether any and what Alterations in the STANDING ORDERS of The HOUSE, respecting PRIVATE BILLS, the Experience of the present Session may show to be desirable, and to what Extent and under what Restrictions Committees on Private Bills may alter the Preambles of Private Bills:——HAVE examined the Matters to them referred, and have agreed to the following RESOLUTIONS:——

Alterations in Preamble.

THAT it appears to this Committee that the alteration of the Preambles of Private Bills by the Committee on the Bills has been practised for many years.

THAT these alterations have not been of such a nature as to cause an extension in the objects of the Bill, as sanctioned by The House, on the Second Reading of the Bill.

THAT it is expedient that this practice, under the following limitations, should be continued:—

1. That in making alterations in the Preamble, nothing in any degree inconsistent with the notices given in compliance with the Standing Orders of The House applicable to the Bill, should be introduced.

2. That every alteration so made in a Preamble should be specially noticed in the Report of the Bill to The House.

3. That together with the notice in the Report of any alteration so made in the Preamble, the ground of making it should be stated.

Amendments on Report and Third Reading.

THAT 119 Bills have been introduced into and passed the House of Commons up to 30th July in the present Session: That of these 119 Bills, 56 have passed without Amendment after coming out of the Committee: That in 51 cases Amendments have been made in the House on the Reports of Private Bills, and in 32 cases Amendments have been made on the Third Reading of Private Bills, and in 20 cases Amendments have been made both on the Report and on the Third Reading. *See* Appendix.

THAT it is the opinion of this Committee, that such a practice is fraught with inconvenience, and tends to alterations of the provisions of the Bills without due consideration of the interests of private parties, and without sufficient attention to the way in which the public may be affected.

THAT whilst, therefore, the right of every Member of The House to suggest Amendments during every stage of a measure in its progress through The House should be carefully preserved, it is desirable that means should be taken to discourage the habit, by parties interested either for or against a Bill, of delaying, until after the close of the Committee, the attempt to introduce Clauses or Amendments; and it is expedient to take further precautions to preclude the possibility of important alterations being introduced without their object being understood, or their magnitude appreciated.

THAT to effect these objects the Committee recommend the adoption of the following Standing Orders:—

Clauses and Amendments proposed on Report or Third Reading to be referred to Select Committee on Standing Orders and printed.

1.—That when any Clause or Amendment is offered upon the Report, on the consideration of the Report, or the Third Reading of any Private Bill, such Clause or Amendment shall be referred to the Select Committee on Standing Orders; that such Clause shall be printed; and when any Clause is proposed to be amended, it shall be printed *in extenso*, with every addition or substitution in different type, and the omissions therefrom included in brackets.

When referred, no further proceeding to be had till Report of Select Committee on Standing Orders.

2.—That when any Clause or Amendment upon the Report, or the consideration of the Report, or the Third Reading of any Private Bill, shall have been referred to the Select Committee on Standing Orders, no further proceeding on either of such Stages shall be had until the Report of the said Select Committee shall have been brought up.

Committee to report whether Clauses and Amendments on Report ought to be adopted or not by House without Re-commitment of Bill.

3.—That when any Clause or Amendment proposed to any Private Bill on the Report, or the consideration of the Report thereof, shall have been referred to the Select Committee on Standing Orders, they shall report to The House whether such Clause or Amendment be of such a nature as not to be adopted by The House without the re-commitment of the Bill, or of such a nature as to justify The House in entertaining it without recurring to that proceeding.

Committee to report whether Clauses or Amendments on Third Reading should be adopted or not at that stage.

4.—That when any Clause or Amendment proposed to any Private Bill on the Third Reading shall have been referred to the Select Committee on Standing Orders, they shall report to The House whether such Clause or Amendment ought or ought not to be adopted by The House at that stage.

THAT it is alleged as one of the causes of the practice of making Amendments and suggesting Clauses at late stages of Bills, that the Public Departments, who may desire to have Clauses protective of the interests of the Crown or of the Public introduced, are backward in arranging them with the Promoters of the Bill.

THAT cases may occur in which it may not be practicable that the Public objects can be duly provided for until the provisions of a Bill, when it shall have passed through Committee, shall be known; but in the great majority of instances, Clauses and stipulations of this nature depend little on the particular enactments of a Bill, and may therefore be easily furnished in time for insertion in the Committee.

THAT it is very desirable that the attention of the Public Departments should be called to this question, and that, so far as is practicable, all enactments (not rendered necessary by subsequent proceedings) required on behalf of the Crown or of the Public, should be communicated to the Promoters of the Bill in time for their insertion in the Committee.

THAT the Promoters of the Bill would facilitate this object by giving Seven Days' clear notice of the day intended for the sitting of the Committee, to every Public Department which has an interest in its provisions.

THAT it should not be expected that the assent of The Crown, when such assent is necessary, should be signified before the stage at which it is by the custom of The House at present required.

THAT in respect to certain Bills of the Third Class, the following Standing Order be adopted:—

THAT as respects all Bills of the Third Class for the incorporation of Joint Stock Companies or proposed Companies for carrying on any Trade or Business, or for conferring upon such Companies the power of suing and being sued, there be deposited in the Private Bill Office, previous to the presentation of the Petition for the Bill, a copy of the Deed or Agreement of Partnership (if any) under which the Company or proposed Company is acting,

or

or of the Subscription Contract (if any), together with a Declaration in writing, stating the following matters :—

1st. The present and proposed amount of the Capital of the Company.

2d. The number of Shares, and the amount of each Share.

3d. The number of Shares subscribed for.

4th. The Amount of Subscriptions paid up.

5th. The Names, Residences and Descriptions of the Shareholders or Subscribers (so far as the same can be made out), and of the actual or provisional Directors, Treasurers, Secretaries or other Officers, if any.

And such Documents shall be verified by the Signatures of some authorized Officer of the Company or proposed Company (if any), and by some responsible party promoting the Bill.

That with the view of making provision for the more effectual auditing of Accounts, the following Standing Order be adopted :—

That in all Bills whereby any parties are authorized to levy Fees, Tolls or other Rate or Charge, Clauses be inserted providing for the following objects, except in so far as any of such objects shall have been provided for in some general Act applicable to the subject-matter of the Bill :— Provision to be made in Bills by which Tolls, &c. may be levied.

1. That Security be taken from the Treasurer, Collector or Receiver, and every other Officer entrusted with the Collection or Custody of Monies under theBill, for the faithful execution of his Office : Security to be taken from Treasurer, &c.

2. That full and accurate Accounts be kept of all Monies received and expended under the provisions of the Bill, and that such Accounts be balanced once in each year at the least : Accounts to be kept.

3. That such Accounts be duly audited once in each year at the least, and that for such purpose an Auditor or Auditors be appointed by some Person or Persons not immediately connected with the Commissioners, Directors, Trustees or other party, by whom or by whose direction or authority such Fees, Tolls, Rates or Charges shall be levied : Accounts to be audited.

4. That for the purpose of auditing such Accounts, the Commissioners, Directors, Trustees or other such party as aforesaid be required to cause the Accounts, together with all their Books and Vouchers, to be produced to the Auditors : Accounts, Vouchers, &c. to be produced to Auditors.

5. That the Remuneration of the Auditor and his Expenses be defrayed out of the Funds levied under the Bill : Remuneration to Auditors.

6. That an annual Account in Abstract be prepared of the Total Receipts and Expenditure of all Funds levied under such Bill for the past year, under the several distinct heads of Receipts and Expenditure, with a Statement of the Balance of the said Account, duly audited and certified by the Chairman of the Commissioners, Directors, Trustees or other Parties aforesaid, and also by the Auditors thereof; and that a Copy of such annual Account be transmitted free of charge to the Clerk of the Peace (or in Scotland to the Sheriff Clerk) for the County, or to the Clerk of the City or Borough within which the chief Office for the management of such funds shall be situated, on or before the 31st day of January in each year, under a sufficient penalty for not preparing and sending in the said Account, to be levied by summary process; the said Account to be open at all seasonable hours to the inspection of the public upon payment of a fee. Account to be annually transmitted to Clerk of Peace.

Taxation of Costs.

It appears to this Committee—That the provisions of the two Statutes, 6 Geo. 4, cap. 123, and 8 Geo. 4, cap. 54, by which it is intended that the charges of Agents and others for carrying Private Bills through this and the

the other House of Parliament respectively should be taxed, are insufficient for the purpose, and the provisions of the above Statutes contemplate no taxation of Costs, except when application is made on behalf of the Petitioner or Petitioners for the Bill or of their Agents.

That the question of rendering it imperative, that all Costs and Expenses charged by Parliamentary Agents and Solicitors or others in respect of Bills subject to the payment of Fees in Parliament, commonly called Private Bills, and incurred in complying with the Standing Orders of the Two Houses of Parliament, and in preparing, bringing in and carrying the Bill through Parliament, and also all Costs charged in opposition to any such Bills, in their progress, should be taxed by a competent Tribunal, is one well worthy of attention; but as it involves many important considerations, and affects the privileges of the other House of Parliament, it is not advisable at this late period of the Session to attempt to go into the Evidence which would be required in arriving at a satisfactory conclusion upon it.

That it will be desirable that a Committee of The House should be appointed at the commencement of the next Session to investigate all points connected with the taxation of Costs on Private Bills, and to consider how far it may be expedient to repeal the above Statutes, and to legislate generally upon the subject.

In addition to the foregoing Resolutions, the Committee have made such alterations in the Standing Orders as the experience of the present Session appears to render desirable, and which they beg leave to report to The House without further observation.

10 *August* 1843.

STANDING ORDERS' REVISION.

REPORT

FROM

SELECT COMMITTEE

ON

STANDING ORDERS' REVISION.

(1843.)

Ordered, by The House of Commons, *to be Printed,*
10 *August* 1843.

550.

Under 1 *oz.*

REPORT.

THE SELECT COMMITTEE appointed to consider whether any and what Alterations in the STANDING ORDERS of The HOUSE, respecting PRIVATE BILLS, the Experience of the present Session may show to be desirable, and to what Extent and under what Restrictions Committees on Private Bills may alter the Preambles of Private Bills:——HAVE examined the Matters to them referred, and have agreed to the following RESOLUTIONS:——

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3. That together with the notice in the Report of any alteration so made in the Preamble, the ground of making it should be stated.

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THAT whilst, therefore, the right of every Member of The House to suggest Amendments during every stage of a measure in its progress through The House should be carefully preserved, it is desirable that means should be taken to discourage the habit, by parties interested either for or against a Bill, of delaying, until after the close of the Committee, the attempt to introduce Clauses or Amendments; and it is expedient to take further precautions to preclude the possibility of important alterations being introduced without their object being understood, or their magnitude appreciated.

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When referred, no further proceeding to be had till Report of Select Committee on Standing Orders.

2.—That when any Clause or Amendment upon the Report, or the consideration of the Report, or the Third Reading of any Private Bill, shall have been referred to the Select Committee on Standing Orders, no further proceeding on either of such Stages shall be had until the Report of the said Select Committee shall have been brought up.

Committee to report whether Clauses and Amendments on Report ought to be adopted or not by House without Re-commitment of Bill.

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That the Promoters of the Bill would facilitate this object by giving Seven Days' clear notice of the day intended for the sitting of the Committee, to every Public Department which has an interest in its provisions.

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That in respect to certain Bills of the Third Class, the following Standing Order be adopted:—

That as respects all Bills of the Third Class for the incorporation of Joint Stock Companies or proposed Companies for carrying on any Trade or Business, or for conferring upon such Companies the power of suing and being sued, there be deposited in the Private Bill Office, previous to the presentation of the Petition for the Bill, a copy of the Deed or Agreement of Partnership (if any) under which the Company or proposed Company is acting,

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or of the Subscription Contract (if any), together with a Declaration in writing, stating the following matters :—

1st. The present and proposed amount of the Capital of the Company.

2d. The number of Shares, and the amount of each Share.

3d. The number of Shares subscribed for.

4th. The Amount of Subscriptions paid up.

5th. The Names, Residences and Descriptions of the Shareholders or Subscribers (so far as the same can be made out), and of the actual or provisional Directors, Treasurers, Secretaries or other Officers, if any.

And such Documents shall be verified by the Signatures of some authorized Officer of the Company or proposed Company (if any), and by some responsible party promoting the Bill.

That with the view of making provision for the more effectual auditing of Accounts, the following Standing Order be adopted :—

That in all Bills whereby any parties are authorized to levy Fees, Tolls or other Rate or Charge, Clauses be inserted providing for the following objects, except in so far as any of such objects shall have been provided for in some general Act applicable to the subject-matter of the Bill :— Provision to be made in Bills by which Tolls, &c. may be levied.

1. That Security be taken from the Treasurer, Collector or Receiver, and every other Officer entrusted with the Collection or Custody of Monies under theBill, for the faithful execution of his Office : Security to be taken from Treasurer, &c.

2. That full and accurate Accounts be kept of all Monies received and expended under the provisions of the Bill, and that such Accounts be balanced once in each year at the least : Accounts to be kept.

3. That such Accounts be duly audited once in each year at the least, and that for such purpose an Auditor or Auditors be appointed by some Person or Persons not immediately connected with the Commissioners, Directors, Trustees or other party, by whom or by whose direction or authority such Fees, Tolls, Rates or Charges shall be levied : Accounts to be audited.

4. That for the purpose of auditing such Accounts, the Commissioners, Directors, Trustees or other such party as aforesaid be required to cause the Accounts, together with all their Books and Vouchers, to be produced to the Auditors : Accounts, Vouchers, &c. to be produced to Auditors.

5. That the Remuneration of the Auditor and his Expenses be defrayed out of the Funds levied under the Bill : Remuneration to Auditors.

6. That an annual Account in Abstract be prepared of the Total Receipts and Expenditure of all Funds levied under such Bill for the past year, under the several distinct heads of Receipts and Expenditure, with a Statement of the Balance of the said Account, duly audited and certified by the Chairman of the Commissioners, Directors, Trustees or other Parties aforesaid, and also by the Auditors thereof; and that a Copy of such annual Account be transmitted free of charge to the Clerk of the Peace (or in Scotland to the Sheriff Clerk) for the County, or to the Clerk of the City or Borough within which the chief Office for the management of such funds shall be situated, on or before the 31st day of January in each year, under a sufficient penalty for not preparing and sending in the said Account, to be levied by summary process; the said Account to be open at all seasonable hours to the inspection of the public upon payment of a fee. Account to be annually transmitted to Clerk of Peace.

Taxation of Costs.

It appears to this Committee—That the provisions of the two Statutes, 6 Geo. 4, cap. 123, and 8 Geo. 4, cap. 54, by which it is intended that the charges of Agents and others for carrying Private Bills through this and

the other House of Parliament respectively should be taxed, are insufficient for the purpose, and the provisions of the above Statutes contemplate no taxation of Costs, except when application is made on behalf of the Petitioner or Petitioners for the Bill or of their Agents.

That the question of rendering it imperative, that all Costs and Expenses charged by Parliamentary Agents and Solicitors or others in respect of Bills subject to the payment of Fees in Parliament, commonly called Private Bills, and incurred in complying with the Standing Orders of the Two Houses of Parliament, and in preparing, bringing in and carrying the Bill through Parliament, and also all Costs charged in opposition to any such Bills, in their progress, should be taxed by a competent Tribunal, is one well worthy of attention; but as it involves many important considerations, and affects the privileges of the other House of Parliament, it is not advisable at this late period of the Session to attempt to go into the Evidence which would be required in arriving at a satisfactory conclusion upon it.

That it will be desirable that a Committee of The House should be appointed at the commencement of the next Session to investigate all points connected with the taxation of Costs on Private Bills, and to consider how far it may be expedient to repeal the above Statutes, and to legislate generally upon the subject.

In addition to the foregoing Resolutions, the Committee have made such alterations in the Standing Orders as the experience of the present Session appears to render desirable, and which they beg leave to report to The House without further observation.

10 *August* 1843.

PROCEEDINGS OF THE COMMITTEE.

Jovis, 27° *die Julii*, 1843.

Lord GRANVILLE SOMERSET, in the Chair.

Mr. Greene.	Mr. Estcourt.
Sir R. Ferguson.	Sir J. Y. Buller.

Ordered,—That there be laid before this Committee a Return, showing the number of Private Bills during the present Session that have been amended on the Report, and on the Third Reading, distinguishing the number in each case respectively, and stating whether by the addition of Clauses or otherwise.

Standing Orders considered, and several Amendments made.

New Standing Order agreed to relative to Drainage Bills.

[Adjourned till Monday, at One o'clock.

Jovis, 30° *die Augusti*, 1843.

Lord GRANVILLE SOMERSET, in the Chair.

Mr. Greene.	Sir J. Y. Buller.
Mr. Estcourt.	Mr. Ewart.
Sir R. Ferguson.	

Amendments to Orders 73 and 74, relative to auditing Accounts, prepared by Mr. Booth, considered and agreed to.

Orders prepared by Mr. John Shaw Lefevre, relative to Joint Stock Company Bills, of Third Class, considered and agreed to.

[Adjourned till Monday, at One o'clock.

Jovis, 10° *die Augusti*, 1843.

Lord GRANVILLE SOMERSET, in the Chair.

Sir John Y. Buller.	Mr. Estcourt.
Sir R. Ferguson.	Mr. Ewart.

Remaining Standing Orders considered, and Amendments made.

Report considered and agreed to.

[Chairman to report.

LIST OF WITNESSES.

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MINUTES OF EVIDENCE.

Veneris, 21° *die Julii*, 1843.

PRESENT:

Mr. Greene.	Sir John Yarde Buller.
Mr. Ewart.	Mr. Loch.
Mr. Miles.	Mr. Pendarves.
Sir R. Ferguson.	

LORD GRANVILLE SOMERSET, IN THE CHAIR.

Archibald Grahame, Esq., and *John Richardson*, Esq., Examined.

A. Grahame, Esq. and *J. Richardson*, Esq.

21 July 1843.

1. *Chairman.*] (To Mr. *Grahame.*) YOU are a Parliamentary Agent?—I am.
2. Have you had a great deal of experience in that capacity?—For nine Sessions.
3. Has your attention been at all drawn, in the course of this Session, to the practice of Committees of this House, with regard to the alteration of the preambles of Private Bills?—Yes, very particularly; in consequence of having had a Bill in which the preamble was altered in committee, the Gorbals' Police Bill; in the first instance, the Committee altered the preamble by striking out a part which they thought had not been established by evidence; they subsequently obtained an opinion from The Speaker that such practice was not regular, and the proceedings were annulled; the Committee sat again upon the whole Bill, and understanding that they could not alter the preamble in any one point, they threw it out altogether; I believe that Bill gave rise to a discussion as to whether such power of alteration was desirable.
4. Do you know of any other instance of a Bill in which a similar discussion arose as to the alteration of the preamble?—Yes, the Ross and Cromarty.
5. Were you engaged in that Bill?—I was not.
6. (To Mr. *Richardson.*) Were you?—I did not take charge of it myself, but Mr. Connell did.
7. (To Mr. *Grahame.*) Will you state whether the Committee upon the Gorbals Police was numerously attended?—It was.
8. What number of members assented to the alteration of the preamble, or did any dissent?—I am not aware of the numbers.
9. Was there a division?—There was; but how the Committee divided I cannot say.
10. It was carried by a large majority that the preamble should be amended?—I do not know; I know that they did alter it.
11. Was it after hearing evidence that it was done?—Such evidence as the parties thought sufficient to establish their case.
12. The vote of the Committee was, that certain portions of the preamble were established, and certain portions not?—I think the vote was, that the Committee had passed the preamble with an amendment.
13. Will you describe what that amendment was?—The Bill was a Police Bill; the Commissioners of Police at Gorbals applied for a Bill to continue their present Act; in doing so they thought it would be convenient that they should assume the powers of the Commissioners upon statute labour roads,—the Trustees upon Statute Labour Roads, as they are called in Scotland; they made provision in the Bill to transfer these powers to themselves; and it was that object which the Committee did not think established by evidence.
14. The Bill involved various objects?—A great many.
15. Lighting, and other objects?—Lighting, paving, watching, cleansing, markets,

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kets, slaughterhouses, the appointment of magistrates, and the amalgamation of the statute labour trust and the police trust.

16. The amalgamation of statute labour trust and police trust was taking from an already constituted body certain authority?—Yes.

17. Did the rest of the Bill intermeddle much with the constituted authorities at present existing?—Yes, the municipal clauses did interfere; but it was with the consent of the other public bodies.

18. Had any opposition been raised to that particular portion of the Bill, namely, that which interfered with the statute labour trust?—The opposition stood in this way; when first the Committee sat, no opposition was offered; the statute labour trustees had agreed to the Bill; afterwards they saw cause to change their minds, and they came forward to oppose and led evidence against that purpose of the Bill.——(Mr. *Richardson*.) We had petitioned.——(Mr. *Grahame*.) The trustees had presented a petition, but they did not appear at first; afterwards, upon the second hearing in committee, they did oppose.

19. (To Mr. *Grahame*.) Was your evidence cross-examined by any parties representing that petition?—Yes.——(Mr. *Richardson*.) Not in the first instance. ——(Mr. *Grahame*.) Because no appearance was made at first in the Committee upon the petition.

20. Before that portion of the measure was struck out of the Bill, had there been any cross-examination upon such point, or any regular examination upon the particular point before the Committee?—I think there was.——(Mr. *Richardson*.) We did not examine at all; no appearance was made.——(Mr. *Grahame*.) When the alteration was first made, there was no appearance, and of course no cross-examination; but, the Committee proceeded in this way; they said, "Although we have altered the preamble in one particular, because we do not think it necessary, we still think that it should be open to the parties if they can adduce further proof of the necessity of combining the two trusts, to do so, and we are still willing to have that proof;" subsequently to that intimation by the Committee further evidence was adduced, and there was a regular cross-examination.

21. That intimation having been given, there was subsequently proof given on the point?—(Mr. *Richardson*.) After the first decision of the Committee, The Speaker gave leave to have the Bill amended, by restoring the words; then we appeared and opposed.

22. Did The House interfere during the progress of the Committee?—Yes, the Committee either sent, or one of the clerks went to The Speaker, and represented what had taken place, that the Committee had amended the preamble. The Speaker said the proceeding was bad, when the Committee came to the decision whereby the object of combining the police and statute labour trust was lost. The Speaker then resolved that the Bill should be sent back to the Committee, for the purpose of amending the preamble, by restoring the words.

23. Was the preamble so curtailed reported to The House?—It was not.

24. The House never passed a judgment upon the preamble?—(Mr. *Grahame*.) No, The House never did.

25. When you say it was held that the preamble had not been proved, was that on account of this portion of the preamble, or generally?—Entirely on that account.——(Mr. *Richardson*.) As far as I understand, entirely upon that point. ——(Mr. *Grahame*.) Expressly so; the Committee communicated to the parties that such was their opinion.

26. Was the Bill ever proceeded with afterwards in any way?—(Mr. *Grahame*.) Yes, upon bringing up the report a motion was made for re-committal, after the decision upon the Ross and Cromarty Bill. We waited till that decision; the Bill was then re-committed. We struck out all those clauses referring to the statute labour trustees, and then the Bill passed as unopposed.

27. In point of fact, through the medium of The House referring back the Bill to the Committee, the Committee did do that in the second instance which they attempted to do in the first, namely, strike out that portion of the preamble, and all those clauses to which it had reference?—Yes.

28. The Bill passed with that portion of its objects omitted?—Yes; the preamble came out of that Committee just as it did when they originally passed it.

29. Mr.

29. Mr. *Ewart.*] Would it have been more convenient for the Committee to have made the alteration instead of The House?—With deference, I think so; I have no doubt upon the subject.

30. *Chairman.*] Will you state how far your experience enables you to inform the Committee whether the practice of committees has been to make alterations somewhat similar to the one you have mentioned?—Decidedly, to make such alterations.

31. Do you ever recollect an instance in which it was resisted, except upon the merits of the particular alteration?—Never before.

32. In the course of this session have you had occasion to do with any Bill in which the preamble has been altered, besides this?—Yes.

33. Will you state to the Committee what was the instance?—The Wexford Harbour Bill.

34. There was an alteration in that?—Yes, but it was not very substantial; in that case it was more critical than substantial, and it would be difficult for me to state what it was precisely; there were several words inserted in different places, more for the purpose of subsequent opposition to the clauses than with reference to the preamble itself.

35. Supposing you did not permit an alteration in the preamble, this anomaly might happen, might it not, that clauses might be left in the Bill effecting the very object in question, precisely as if the preamble was amended, and yet the preamble be left untouched?—That would be the course which must be followed by committees if they had not the power of amending the preamble.

36. And if strict proof of the preamble was always insisted upon in every case, and no power afforded to adapt it to the facts proved in evidence, the result, would be, that preambles generally would be very meagre?—It would be the interest of promoters, of course, to make them as general as possible.

37. Since your attention has been called to these subjects, have you looked back to the mode of proceeding 20 or 30 years back?—I cannot say that I have done so recently; but my understanding is, that originally the proof was taken in The House itself. I do not know that I could refer to any authority at present; but my impression is, that originally the proof was taken in the House itself, and it was to get rid of that duty that they referred Bills to committees.

38. If you go back 50 years, you find the evidence was also taken at the bar?—Yes, formerly; but I do not recollect at what period.

39. Upon what was called the principle of the Bill, which is now embodied in the preamble; that was found inconvenient, and the course was adopted; but that being adopted, you would say that there ought also to be a modification of what formerly was the rule, namely, that the preamble cannot be altered?—If that were formerly the rule, I should say it would be desirable there should be an alteration.

40. Do not you think there might be some inconvenience if amendments and alterations of a preamble were permitted without some restriction?—I think it may be safely left in the hands of committees to decide whether the alterations are judicious or not, especially considering that The House has a check afterwards, —the Bill having to pass through subsequent stages.

41. You think no private injustice or public inconvenience would result from such alterations being made without some special restriction?—Of course they might result, if we suppose committees to make such alterations as would inflict them; but I think, constituted as committees now are, they may be safely intrusted with the power.

42. You say "committees constituted as they now are;" you think they work pretty well under their present constitution?—A great deal better than formerly.

43. Mr. *Ewart.*] Might they be improved?—I should think they might; the more they approximate to a judicial tribunal the better; but I think under their present constitution any points, such as those suggested, may be safely entrusted to their discretion.

44. Mr. *Loch.*] In those cases you have known of the alteration of a preamble, was the preamble enlarging or diminishing the powers of the Bill?—I do not recollect any instance of a preamble being altered so as to increase the powers of the Bill.

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45. In all the instances you have referred to, the powers of the Bill were more limited by the Committee than they were as the Bill was originally brought in?—Yes.

46. You would not think it fit that committees should have the power of enlarging the powers of a Bill and altering the preamble to suit those larger powers?—As the question is put to me, I think not; but I can scarcely conceive that committees would ever so exercise their discretion.

47. Mr. *Ewart.*] Do you remember any instance of the exercise of such discretion by committees of enlarging the powers of a Bill?—No.

48. What has been the objection to the power of altering a preamble by those who oppose it?—The only objection I have heard stated is one of form and rule; it has reference to what is held to be a rule of The House.

49. What is that?—That The House is assumed, not merely to assent to, but actually to adopt, on the second reading, the principle of the Bill, as contained in the preamble.

50. Do you conceive on the second reading by The House of a private as well as a public Bill, that The House assent to the second reading upon the principle of the Bill, and not upon the preamble?—I do not precisely understand the question.

51. Is it your opinion that The House in a public Bill, as well as a private Bill, assents to the principle of the Bill upon the second reading, and not to the words of the preamble of the Bill?—In my opinion, The House assents to the principle of the Bill only because they have taken no evidence upon the facts.

52. Is it known to you that in the public business of The House, The House having passed the second reading, commit the Bill, and that having gone through the Committee, they afterwards alter the preamble of the Bill in conformity with the alteration which is made in the clauses in the Committee?—I understand that to be common practice.

53. Would you not infer, from the similarity of the proceedings generally in public and private Bills in their origin, that the same power might exist in a Committee to alter the preamble of a private Bill as in the Committee on a public Bill?—The analogy seems to hold good.

54. It has always been your understanding, that in passing the second reading of a Bill, The House recognize the principle of that Bill, but do not adopt the precise words of the preamble?—That has been my understanding.

55. Mr. *Greene.*] Is it not the case practically, that the House of Commons read the Bill a second time almost *pro formâ*, and send the question of the principle of the Bill really to be decided by the Committee upon the Bill?—I think it is the case that the Committee practically does decide upon the principle of the Bill; if they think it a bad principle, they report that the preamble is not proved.

56. You have just now stated that there might be an objection to enlarging the powers stated in the preamble; do you see no inconvenience which might result from diminishing those powers?—There might be inconvenience under certain circumstances; it is easy to suppose a case in which there might be inconvenience, and very great inconvenience; but that may, in my opinion, be safely left to the discretion of the Committee.

57. Mr. *Miles.*] Will you state any case of injury which you think might result?—I think, under circumstances which might lead to the dropping of some particular portion of a work, injustice might be produced; there is almost no alteration that might not, under certain circumstances, produce injury.

58. Mr. *Greene.*] If, for instance, the preamble of a Railway Bill recited that the railway was to go from London to Bath, and you changed the preamble, and make it go to Reading, might not great injustice be done to parties who had given assent to their land being cut through, for the purpose of making a railway to Bath?—Yes, such cases are very possible. The converse of the case put by the honourable Member would illustrate it better. Certainly, if you gave notice of a railway from Bath to London, and stopped at Reading, there might be great injustice; but I do not suppose that any Committee would permit that.

59. Take the case of the drainage of lands: might not an individual be willing to have his land cut through to make a drain in order to drain a very large surface of country, whereas he would decline having it done if it were limited to a very

very small portion?—I think such a case might arise; it would be for the Committee to judge whether it was inconvenient.

60. It would be possible that many consents might be obtained under a total misapprehension of what was going to be done?—Yes, but I have always understood that the object of obtaining those consents was to make parties aware of the measure being in Parliament, and that no great weight otherwise was attached to them.

61. You state that in the case of the Gorbals Police Bill, more than one corporate body was affected?—Yes.

62. And that by the decision of the Committee one of those corporate bodies was left untouched?—Yes.

63. Is it not perfectly possible that the consent of one of those bodies whose rights were affected by the Bill, might have been obtained under the expectation that both bodies were to be affected?—No, that could not have been the case in the instance referred to; nothing of the kind could have occurred in that instance.

64. You can conceive of such a case?—Yes.

65. And therefore a case in which great injustice might be done by abridging the powers of the Bill?—Yes, if you assume that the Committee would in such a case permit it.

66. Mr. *Ewart.*] Would not that be sufficiently subject to correction by the consideration of the Bill by The House in its further stages?—It would be subject to correction.

67. Mr. *Greene.*] Is The House, in point of fact, any good check whatever as to any thing which passes in Committee?—That is a very difficult question to answer; if The House choose to exercise the power, they have it,—if they choose to read the Bills; I think it is beyond their power practically.

68. *Chairman.*] If that be so, is it not also a proper inference that the Committee is not the best party to consider how far the preamble should be amended or not?—No, I cannot see that; I think the Committee are much better able to decide whether the preamble should be amended or not, than The House.

69. And, therefore, as a practical agent, you would prefer that preambles should be altered by Committees rather than by The House?—That is my opinion decidedly.

70. You believe, that if all power of alteration of a preamble were taken away from Committees, great inconvenience might result from the necessary reference to The House to make such alteration?—Yes.

71. And you do not think that that alteration in The House would be so satisfactorily made or so likely to be in accordance with what ought to be done as if made in Committee?—That is my opinion decidedly.

72. Mr. *Miles.*] What was the additional expense which arose to the parties from the withdrawal of the Gorbals Police Bill, in consequence of that alteration, and the re-committal of it?—The expense to which the promoters were put by the Resolution of the Committee, that the preamble of the Bill had not been proved, and by the re-committal of it, was 46*l.* 1*s.* 6*d.*, including 18*l.* 4*s.* 4*d.* of fees; these fees would have been the same under any circumstances on a similar Bill; but the other charges were increased by the novelty of the case, and the uncertainty of the course to be adopted in order to re-instate the Bill; the fees, however, vary according to the nature of the Bill, and in this case they were large.

73. You think that no difficulty would arise from allowing Committees to withdraw powers from the preamble?—To limit powers by altering the preamble.

74. But you would not give the power of adding?—I think it is quite unnecessary; under the present system of Standing Orders, it is generally out of their power: under certain circumstances, I think there may be the same reasons for allowing a Committee to add to as to diminish the powers of a Bill, always assuming that they are to exercise a wise discretion in considering the Bill.

75. *Chairman.*] Do you ever recollect a Bill, except by some clerical error, drawn up within the Standing Orders, made under those Standing Orders to embrace larger objects?—That interrogatory recalls an instance to my recollection in which that very thing took place; in which very ample notices were given, embracing some objects that were not quite determined upon when the Bill was brought into the House; an application was then made for leave to insert additional clauses; those clauses were within the notices, but not contained

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in the original Bill; but there we proceeded by asking The House for an instruction to the Committee.

76. When you first draw your Bill, you make up your mind how far you mean to go, and take care that the general outline of your Bill shall embrace all the possible objects you can hope to carry?—That is the general rule.

77. Then there must be special leave given after the introduction of the Bill?—That is the correct practice.

78. You would not propose that, jumping over all that intermediate care for due notice being given of what is going to be done, the Committee upon the Bill should be enabled to alter the preamble, and then the clauses, without any notice whatever?—If you consider every step taken in the House upon a Bill as a notice to parties; but I have not been accustomed to regard it so; the notices to the parties are those given under the Standing Orders.

79. Is not the object of the regulation of having the Bill printed, a notice to the parties?—I do not think that to be the object; the object appears to me to be, that The House itself might be aware of the nature of the Bill: not the parties.

80. Practically, the parties are made aware?—They may be by taking proper steps.

81. Mr. *Ewart.*] Do you not remember cases of docks being formed in different parts of the country, and shipping passing in front of those docks being liable to a passing toll; ships from a distant part of the country might, in such a case, be liable without being apprized of it; what notice could they have, unless by the publicity given by the Bill itself?—That may be a defect in the Standing Orders regarding notices.

82. Do you recollect the case of the Fishguard Harbour, where the Bill passed, and it was not discovered till afterwards that it affected the shipping of the country generally?—That might be a good reason for having a Standing Order applicable to such cases, but not for holding the print of the Bill as notice to the public.

83. Mr. *Greene.*] Upon what is the public to rely?—Upon the notices given in the newspapers, and the proceedings as they go along; the first printing of the Bill is notice of what is first intended, and no more.

84. In the case just put to you, supposing that alteration which rendered all the shipping of the country liable to a passing toll, had been made in Committee, you could hardly expect that all parties from distant parts of the country should be looking after it?—I am not aware of the details of that Bill; I did not understand that the alteration had been made in Committee.

85. Supposing the case of such an alteration made in Committee?—That would be the consequence, but I cannot assume that the Committee would do any such thing; the cases which are put, all proceed upon the supposition that the Committees would not deal wisely with the discretion committed to them; if you assume the first printed Bill to be conclusive notice to parties, every alteration of that printed Bill afterwards is a departure from the notice.

86. If by the printing of the Bill the parties are made aware of what is about to be done, should you permit the Committee upon the Bill to go beyond that, you may take parties by surprise?—If parties are to consider the Bill as conclusive notice to them, you do, of course; but I cannot regard it as such.

87. *Chairman.*] You have been nine years a Parliamentary agent?—Yes.

88. From the commencement of your career, can you state to the Committee whether you know that a practice similar to the one you have described has prevailed?—As to the alteration of preambles—yes, constantly.

89. (To Mr. *Richardson.*) How long have you been in practice?—Five and thirty years.

90. Carrying your recollection back, what is your opinion as to whether the practice referred to of altering the preamble has or not existed during the whole of that time?—I have but a very vague recollection of it; but the time I first entered on practice, I think there was an opinion that you could not alter the preamble; but I am sure of this, that for 15 or 20 years past, Committees have been accustomed to alter preambles constantly.

91. What is your opinion of the expediency or inexpediency of permitting such alterations?—I think it is quite expedient and quite necessary. I think it is the great object of Parliament and of the Committee to pass a consistent and efficient Bill, and I do not think that any rule ought to stand in the way of that, unless it is a rule indispensable to the process of legislation.

92. Should

92. Should you feel, on account of the persons whose interests you might be called upon to represent, that it would be desirable both for parties opposing and promoting Bills, that there should be a power of alteration?—I think so; I think an excellent measure might be lost or defeated unless you had that power.

93. Might not this case arise, that an excellent measure, in its general outline, and so excellent that no Committee would like to throw out the Bill, might be prevented passing, unless that power were possessed?—Certainly.

94. So that private interests might be sacrificed as well as public advantage, by a too resolute adherence to the preamble when it is in Committee?—Yes.

95. It is assumed that The House has the power of altering the preamble if they so think fit, and referring back the Bill to the Committee for the purpose of adapting the clauses to the preamble; do you think that that circuitous mode of proceeding, upon the whole, would be as expedient and likely to produce just results as the mode you have described of altering the preamble in Committee?—I do not think so.

96. More especially looking to the interests of private parties opposing Bills, would they not often be put to much greater expenses in the former case than in the latter?—I think so. There is very seldom any resort to The House with respect to a preamble.

97. The Committee are assuming the Parliamentary Law, as laid down by The Speaker, to be cogently enforced?—I think it would be inconvenient for the public, and expensive to parties.

98. More so, probably, to the parties opposing the Bill, than to the parties promoting it?—Yes, to both, the inconvenience might be very serious.

99. Take the case of the Gorbals Police Bill: would it not have been more satisfactory to your clients if the Committee had been able to exercise their judgment in the way they wished, and at once say, we are anxious to see a portion of the Bill pass; but as far as the Statute Labour Trustees are concerned, we think the Bill should not affect them?—Yes, for that was their object.

100. And their object would have been attained, and you would have personally been relieved from expense and difficulty, could they have taken such a course?—Yes.

101. Whereas you were obliged to incur the expense of a reference to The House?—Yes.

102. Would you think it advantageous to allow a Committee to insert matters in the preamble, not in it before, for the purpose of enlarging the powers of the Bill?—Unquestionably not, unless those objects were contained in the notices given, in compliance with the Standing Orders, or unless the parties petitioned The House for additional provisions.

103. In the case of any thing like an increase of the powers of the Bill, you would force the parties seeking that increase to go through the House?—Yes.

104. So far as the Committee upon the Bill are concerned, you would not admit of their having the power of increasing any of the powers sought by the preamble as it was committed to them?—I think it would be safer that they should not

105. Do you see any difficulty in the Committee upon a Bill reporting their grounds for the alteration, supposing an alteration made?—No; you have always the security of the Breviate.

106. Do you think it would be desirable, as a check upon any undue proceedings on the part of Committees, with reference to leaving out some important part of a scheme, and thereby disappointing the hopes of individuals, that there should be that check that the Committee should be bound to report their reasons for the alteration?—If the Breviate is not thought to be sufficient.

107. Would you not think both desirable?—You might have both; I do not think you could be too secure.

108. There would be no practical inconvenience in that?—I think exceedingly little.

109. But you think it would have some effect in showing that the thing was not done without due consideration?—Certainly, I think so.

110. You would have that included in the Breviate?—I conclude it is so.

111. Mr. *Ewart.*] Is it not a convenience to be able to combine several objects in

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in a Bill, and therefore to comprehend them in the preamble?—Certainly, I think the not being able to do so might multiply Bills.

112. And, therefore, increase expenses?—Yes.

113. Instead of consolidating in certain Bills certain objects, and including them in one preamble, you would have to subdivide the preamble into a number of small Bills?—Yes.

114. And that would be both inconvenient and expensive?—Yes.

115. You admit that there are cases in which objectionable alterations might be made in the preamble by the Committee?—(Mr. *Grahame.*) Such cases are conceivable.

116. But you do not think those cases sufficiently frequent or sufficiently important to counterbalance the advantages which accrue from giving a power of alteration?—Certainly not.

117. Mr. *Greene.*] Going back to the Committee upon petitions; supposing in the proceedings before that Committee it shall appear that the Standing Orders have been complied with for one portion of a line of railway, and not complied with as far as regards the remainder of the line, and the parties agree to abandon that part of the line with respect to which the Standing Orders have not been complied with; the Committee upon the petition for a Bill report the Standing Orders not complied with; under those circumstances it would be referred to the Select Committee on Standing Orders; the Select Committee on Standing Orders would report to The House whether it was fitting or not that the parties should be allowed to proceed with their abridged line?—Certainly, that is the practice.

118. Why should not the same security be taken in case of the Committee upon the Bill doing that which, in point of fact, in the case just supposed, is done by the Committee upon the petition?—(Mr. *Richardson.*) Perhaps the report to The House would be a sufficient security.

119. Could not such a subject be more calmly looked into by the Committee upon the Standing Orders, or a Committee appointed for the purpose, than in the general hurry and bustle of private business in the House?—Yes, more deliberation might be given to it.

120. What inconvenience do you think would arise from the adoption of such a course?—I am not aware that any inconvenience would arise, except in multiplying the stages of the Bill; in fact, I have known so little evil arise from the exercise of the power of altering the preamble, that I should hardly have thought a remedy to be necessary.

121. Mr. *Loch.*] When you began to practise, how did Committees proceed, did they postpone the preamble?—Very frequently; there is a vague recollection upon my mind that at one time you could not alter the preamble; but thereafter it was the practice to postpone the preamble.

122. Was it not postponed to adapt it to the proof?—Precisely so; the evidence was taken, and the preamble was suited to the purposes to be obtained.

123. Do you recollect when the practice was, that the preamble was taken in the first instance?—I do not recollect when it commenced. The House of Lords for some years have gone through the whole Bill before deciding on the preamble; they have recently given that up, and have this year passed several Bills in which they have taken the preamble first.

124. Mr. *Ewart.*] Do the House of Lords exercise the power of altering the preamble?—Yes, they alter the preamble.

125. Mr. *Greene.*] (To Mr. *Grahame.*) If, in point of fact, the Standing Orders' Committee are made the judges as to whether the parties should be allowed to proceed with an abridged line, should you see any objection to that Committee, or some other Committee to be appointed, having the same power, in case of the line being abridged by the Committee on the Bill?—That is a very difficult question.——(Mr. *Richardson.*) They would not have heard the evidence.——(Mr. *Grahame.*) In the first place, they do not hear the evidence, and that might be an objection to their having such power; but after the Committee on the Bill, on hearing the evidence and the arguments, have thought fit to alter the preamble of a Bill, to send that preamble to the Select Committee on Standing Orders appears to me to be sending it to a tribunal less capable of judging of the fitness of the alteration than the first.

126. You would send it, after the decision of the Committee upon the Bill, to The House?—Yes.

127. Is The House as competent to decide upon a question of that sort as a Committee who might devote some time to its consideration?—I think The House is not; but I think between the two Committees, the Committee on the Bill is more likely to form a sound opinion than the Select Committee on Standing Orders.

128. Mr. *Miles.*] In the House, will there not be Members present who have heard the evidence together with other Members; whereas in the Standing Orders' Committee no person might be present who had heard the evidence?—That would be a great disadvantage in the Standing Orders' Committee.

129. Therefore would you prefer, in the case of a preamble being altered, its being committed to the Select Committee on Standing Orders; or would you rather that it should be sent back to The House, with the alteration made in the preamble printed, and at the same time the reasons for making that alteration being stated?—I think the latter would be the preferable course.

130. *Chairman.*] (To Mr. *Richardson.*) The Committee would call your attention to another point, which involves a great deal of difficulty, and which has been growing up into a great evil, namely, the adding clauses and making amendments in a private Bill after it has left the Committee, either by positive clauses or by the omission or insertion of words upon the report or the third reading; have you turned your attention to the possibility of laying down any rules by which that might be obviated?—I think the extent to which it has become the practice is inexpedient; but I think you may always leave with The Speaker the power of judging as to whether the alterations made and submitted upon the report are verbal, or clerical and immaterial; and if so, it would be unnecessary to send the parties back to the Committee.

131. Are you not throwing upon The Speaker by so doing an onerous and difficult duty?—Certainly.

132. Leaving out a single word may involve as serious consequences as putting in a great number?—The Speaker judges of that.

133. How can he be so unless he takes upon himself the labour of reading through the Bill?—I apprehend he does take that labour to the extent necessary.

134. Supposing him to do so, is it not the object of The Speaker to see, not whether the amendment is right or wrong, but simply that it is not inconsistent with the general rules of The House?—He cannot judge very well perhaps of its effect.

135. Your attention is wished to be directed to alterations, beyond clerical alterations, made by parties in the Bill subsequently to the Bill having left that tribunal to which The House delegates the duty of arranging what is right and wrong between the public and individuals?—I should say, that if the amendments go beyond clerical amendments, or immaterial amendments, the Bill ought to be re-committed.

136. Will you direct your attention to a class of clauses which are apt to be put in upon the report or third reading, namely, clauses reserving rights to the Crown in various ways; cannot almost all those clauses be prepared before the Bill is committed?—Certainly.

137. Generally speaking, does it not arise from a certain degree of neglect on the part of the professional gentlemen engaged, that such clauses are not inserted in the Committee?—I am not aware of Crown clauses ever having been delayed from that cause. It arises often in this way, that the Bill may have proceeded a certain length without our knowing such clauses were meant to be inserted. Latterly there have been new clauses proposed on the part of the Admiralty, the Stamps and other public departments, and the Bill may have been brought in without knowing that those clauses were required to be inserted; but we must comply with the directions of a public office.

138. By paying due attention, might not all those clauses be arranged *de bene esse* before the Bill comes out of Committee?—They might, if known.

139. The assent of the parties will not be given till the report, because till that, they cannot tell whether it is right or wrong to give the assent of the Crown; but you think the clauses may be put in before that, as well as after, by due attention?—Sometimes they are put in in the House of Lords.

140. Do not you conceive that private individuals may be often affected by such clauses?—They may.

141. In your experience have not you had clauses put in on account of the rights of the Crown, or claims of the Crown or public departments, very materially influencing the interests of private persons?—Yes; two sessions ago there was a case.

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142. Will you give an instance?—It was in the Clyde Navigation; the Crown insisted upon a right to land (such right as the Crown had) that was gained from the river; the clause was put in in the House of Lords; in consequence apparently of the discussion which attended that clause, the Crown has instituted claims against various individuals, and I believe the claims are in some instances in dependence.

143. The Crown, in consequence of these clauses, has instituted claims which without them would not have been made?—The Crown might have instituted the claims independent of the clauses; attention was called to the Crown's right in consequence of these clauses; I do not suppose that the right of the Crown even without the clauses could have been defeated.

144. Would parties have surrendered the rights which they might have surrendered if they had been aware of the clause being to be inserted?—There were no rights surrendered; but the parties were probably not aware that the Crown had a right, until they were made aware of it by the Crown's claims.

145. Without citing any more particular instances, injustice might be done or hardship inflicted upon individuals by clauses being inserted after the parties can make no opposition to them?—Yes.

146. It becomes a mere act of arbitrary will on the part of the Crown on the one hand, in the promoters on the other, the private individuals affected being stopped from offering opposition?—The Crown could not put the clause in without a right.

147. But there may be cases where the Crown may assume a right which may not be found to be correct?—The Crown has the power of doing that which might be unjust, but I cannot imagine it would do so.

148. Still all those clauses might as well be put in during the period when matters of this sort can be discussed and brought to proof as subsequently?—The clause in question could not, for no one was aware of the circumstance till it was suggested by one individual to the Lord Advocate, or to the Woods and Forests; of course they were bound to take it up as soon as their attention was called to it.

149. It would be desirable, as a general rule, and easy, would it not, to put in such clauses previous to the Bill leaving the Committee?—It is exceedingly desirable, and, generally, easy; but cases may occur in which you cannot do so.

150. As to all clauses and amendments subsequent to the Bill leaving the Committee, you must leave open to independent Members the power of acting as legislators, and correcting any thing they think wrong by additions or omissions?—You cannot take away that power, of course.

151. Difficulty of course arises from that in laying down any settled rule; but, bearing that condition in mind, have you thought of any regulations which might prevent that laxity which is found inconvenient?—I know of no regulation except re-committing the Bill, if the amendments are proposed on the report; or committing the clauses proposed to be added upon the third reading, and referring the Bill for the purpose of their being inserted in it.

152. Supposing that were an invariable rule, would it act unjustly upon parties?—I think it should not be made an invariable rule, for I think there should be an option left with The Speaker.

153. Instead of throwing that upon The Speaker, what is your opinion as to having recourse to the Standing Orders' Committee?—The Committee are better judges of that than I can be.

154. Having been a party concerned in matters of this kind, in your opinion would not the Standing Orders' Committee advise The House, with regard to the proceedings they should adopt as to those late alterations, better than The Speaker could?—I think a single individual would do it more efficiently than a number.

155. Do you not think that sending all clauses and amendments, as a matter of course, to the Standing Orders' Committee to report upon the propriety of further information being obtained, or their being passed without further discussion, would probably prevent that laxity of practice?—I think it would; but I think re-committing the clauses would have the same effect.

156. Supposing a middle course adopted; supposing I, as a Member of Parliament, perfectly disconnected with the progress of the Bill, propose such and such an amendment; first of all that I should give notice of it; next, that there should be such a period elapse between such notice and the bringing forward the amendment as shall enable it to be referred to the Standing Orders' Committee; that

that Committee should be bound to report to The House before the amendment was mooted practically, whether or no it was of a nature that could be entertained in the House without reference back to the original Committee, or should be referred back to the Committee; do you think such a process as that woul be so onerous or so inconvenient in point of time as to make it inexpedient?—If it were onerous and inconvenient to parties, I think it would have the effect of compelling them to attempt to avoid the necessity of it.

157. And that would not do away with the power of independent Members proposing alterations?—No.

158. Are you aware of any other device less complicated which would have the same effect?—None occurs to me; I see no other way than that of re-committing the Bill where the amendment extends beyond a certain limited amount.

159. It is impossible you can say how many words may be put in or left out?—I think it might be desirable, if the duty is convenient to The Speaker, that a tribunal should be appointed for the purpose of deciding on such matters.

160. Practically, you think the result would be, that parties would take care to put in, in the Committee, all the clauses which they wish to be inserted?—I think so.

161. A medium course is suggested, which may produce a re-committal or not, but which would be, at all events, a check?—No doubt it would.

162. (To Mr. *Grahame*.) What is your opinion with regard to the insertion of amendments into Bills, and the means which should be taken to check it?—I think there are sufficient inducements to lead the promoters of Bills to put in all the clauses which they can; I do not think that those clauses are put in at subsequent stages, from previous carelessness or neglect; it is a great object to have no intermediate step between the report and the third reading; I do not think it would diminish the number of clauses, but it might to a slight extent induce promoters to refuse to put in clauses to avoid a threatened opposition in the other House of Parliament.

163. You can hardly put that forward as a reason?—After a Bill has passed, the opponents may come forward and say, the Committee have decided in your favour; we want but a trifle, and if you will insert this amendment, we will save you the expense of an opposition in the House of Lords; that is the origin of many amendments after Committees have sat.

164. Many cases may be imagined where, for the sake of convenience, that may be done; but as a general principle, you would not admit it?—I think the result would be, that clauses would be put in, in the House of Lords, instead of in the House of Commons; and then the Bill would come down again to the Commons.

165. A large class of such clauses could not be permitted to be inserted in the House of Lords?—Those clauses, it is held, cannot be put in, in the House of Commons, upon the third reading; in cases where the clauses are of such a nature that the Lords cannot put them in, the course has been a re-committal of the Bill; under the recent practice, the present Speaker will not permit clauses involving rates or tolls, or other important matters, to be put in upon the consideration of the report or the third reading, nor without a re-committal; I certainly think material amendments should be the subject of further consideration; and I see no check but either the present course of allowing The Speaker to judge, he exercising his discretion strictly, or making it a general rule to re-commit the Bill where there is any alteration to be made; but if the Bill is to be sent back to a Committee at all, I think it would be better to send it to a Committee that has considered it before, than to a Committee which has not had that advantage.

166. *Chairman.*] You would prefer that it should go to the same Committee?—Yes.

167. There would be difficulty in re-assembling the Committee, would there not?—With the selected Members, there might, perhaps.

168. An objection to sending it back to the same Committee might be, that you might get those parties together who took an adverse view to the particular interest advocating those amendments, and not the whole body of the Members; and that, consequently, you would have a prepossessed Committee instead of an impartial one?—If you regard the Standing Orders' Committee as an Appeal Committee from the decision of the other, that might be the case; but I think the fittest parties to judge whether a clause should be inserted or an amendment should be made upon a Bill as it passed the Committee, are the Committee who

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passed the Bill; they may have objections which the Standing Orders' Committee could not imagine.

169. When you get to the third reading, you could not then have the Bill referred back?—Not unless you alter the present rule; but I see no reason for not altering an inconvenient rule.

170. How far do you think it would be impracticable to prevent any amendment being made upon the third reading?—Such an absolute rule might be attended with considerable inconvenience and expense; but I think The House would do well to be more strict in permitting amendments upon the third reading than upon the report.

171. Why do you think amendments upon the third reading should be more strict than upon the report?—The parties have had time, previously to the consideration of the report, to consider the Bill as it comes out of Committee, and under the present practice there cannot be a re-committal after the ingrossment.

172. Your attention has been called to the inconvenience and injustice which might follow from amendments of this sort; has any case occurred this Session upon the report which might have been upon the third reading, of putting in or leaving out a word; under such circumstances you could not refer the word only to the Committee, you must refer to the Committee all that that word referred to?—I am not aware of such a case.

173. Mr. *Miles*.] What his Lordship wishes to call attention to is, how some surveillance may be obtained over words which might be introduced, whether they are words of course, or do or not alter the construction of the sentences. ——(Mr. *Richardson*.) I think the Standing Orders' Committee might do that. ——(Mr. *Grahame*.) I do not agree upon that; they have not had the advantage of having heard the evidence and argument; they do not know the facts as the Members of the Committee on the Bill know them; I think it would be better in every case where you do not re-commit to refer to the Chairman or one of the selected Members who sat upon the Committee.

174. *Chairman*.] One objection to re-committing the Bill may be this, that in every case of amendment you must call the particular Committee together; whereas, if you send such amendments to the Standing Orders' Committee, they can get through them very quickly if they are merely formal; or if that Committee meet with an important one, they can say this is a matter to be referred back to the Committee on the Bill?—Then you have a double proceeding and a double loss of time; I think promoters would prefer getting at once to the Committee which is to be the tribunal of ultimate resort in case of difficulty.

175. You do not feel the force of the difficulty which has been alluded to, of re-assembling a great number of the Committee, instead of having a matter which may turn out to be of no importance referred to a tribunal that may dispose of the case very easily; whereas, if they put their fingers upon any thing of importance, they may say this must go back to the original tribunal?—I admit the difficulty, but it seems to me that every objection to The Speaker, as an individual deciding upon such a matter, applies to the Standing Orders' Committee, which is composed of individuals equally uninformed upon the facts of the case.

176. *Chairman*.] (To Mr. *Richardson*.) Will you inform the Committee whether or not you think that any advantage would be derived from having the fees which are paid to the House of Commons stated separately from the rest of the professional Bills, and signed by some proper officer of The House; the habit now is, for solicitors promoting Bills to send in a general account, comprehending all their various items of charge; but particular fees are not put by themselves, and consequently very often the House of Commons are supposed to be exceedingly exorbitant in their demands, when, in point of fact, the exorbitancy does not belong to their fees; would it not be desirable, therefore, and would there be any objection to make it an imperative rule, that in every Bill passing through the House of Commons, a separate account should be made out, signed by a proper officer, and that that should be submitted as a separate account to the parties?—If there be the least necessity, I think there is no objection to it.

177. What is the course now?—To put all the fees together.

178. Both the House of Lords and the House of Commons' fees?—Yes. I do not mean in one sum, but the details of the House of Commons' fees and of the House of Lords' fees; all the individual items. The object in view would be answered, I presume, if the agent should send a receipt by the officers of each

House

House for the fees. The Committee are aware that there is an Act of Parliament which enables any parties against whom a solicitor renders an account to have it taxed by The Speaker.

179. That applies only to fees, does it?—To the whole Bill. I never have had any experience under it, nor Mr. Grahame either, I feel sure; but that is the fact, that any individual complaining of a bill has merely to go to The Speaker, and have it taxed.

180. What Act is that?—(Mr. *Grahame.*) The 6th of Geo. 4, c. 123; and there is a similar Act with regard to proceedings in the House of Lords; that is the 8th of Geo. 4, c. 54. The practice of Scotch agents and of English agents, I may explain, is different. The English agents would be better able to tell the Committee what the proceedings as to accounts are. The Scotch agents combine the duties of agents and solicitors together.

181. (To Mr. *Richardson.*) Have you any observations to offer as to the Standing Orders in consequence of what has happened this Session; has any thing occurred to you with regard to the proceedings, or the forms in any way, which is inconvenient?—Nothing has struck me.

182. (To Mr. *Grahame.*) Has any thing occurred to you?—Some of the Standing Orders, I think, might be dispensed with; for instance, confining the consideration of reports of Railway Bills to Tuesdays. There are some little matters of that sort that one might point out on consideration.

183. The Committee may presume, if you have not found any thing so inconvenient as to be uppermost in your thoughts, that you have found the Standing Orders to work pretty well?—Yes, pretty well. It would be desirable, in my opinion, if it were obligatory on all the selected Members to attend on Committees.

184. With regard to selected Members, you have found some difficulty?—Yes.

185. Will you state what the Committees were in which difficulty was experienced?—I do not recollect at present, and I would rather not particularize.

186. Has not the fact of a great number of the Scotch Members upon a particular list being anxious to attend different Committees which were sitting at the same time, had something to do with the difficulty?—No; but that has been one great reason for adjourning the Committees. The West of Scotland List had an unusual number of opposed Bills, and there was a feeling, apparently, to attend every Committee, and a number of adjournments were made, which led to delay.

187. Sir *John Yarde Buller.*] Was that occasioned, not by the selected Members, but those upon The Speaker's List?—No doubt of it.

188. *Chairman.*] Has your attention been turned to any remedy by a different arrangement of The Speaker's List?—A different arrangement of The Speaker's List might perhaps produce a remedy; it is very difficult to allot Members in the lists for Scotland, so as to prevent an accumulation of business in one Committee, because a great deal of the business comes from particular localities.

189. Mr. *Loch.*] The arrangement was changed last year?—Yes, and divided into east and west.

190. *Chairman.*] Is that a desirable arrangement?—That has led to the inconvenience of this Session.

191. Mr. *Loch.*] The inconvenience of the last was greater than formerly?—Yes.——(Mr. *Grahame.*) The Session preceding this I do not think it was so bad; but other evils were complained of. I think in the Session before the present, Scotland was divided by a line drawn east and west through the great towns, so that upon some Committees on Bills, referring to parts of Scotland immediately to the south of Edinburgh and Glasgow, the Members representing counties immediately to the north were not Members of those Committees, and *vice versâ.*

192. Mr. *Loch.*] In relation to The Speaker's List of this Session, has a greater convenience existed?—I do not think you could have a better division than that of the present year, but it has led to the inconvenience which I have referred to.

193. Mr. *Ewart.*] Has the Standing Order, which renders the presence of selected Members necessary upon Committees, produced a good effect on the decisions of Committees?—That is my opinion.

194. Do you think it would be beneficial to extend the principle, by making the whole Committee consist of selected Members?—That is my individual opinion; I think it would be much better to adopt the system which is followed in the other House.

195. Does your experience of the present Session lead you to that conclusion?—All my experience does.

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196. You remember an examination upon this subject in 1838?—(Mr. *Richardson.*) I was examined then, and I have no doubt if you could assimilate the tribunal to the tribunal in the House of Lords, it would be well.

197. Do you still think so?—Yes.

198. The alteration which has been made has been beneficial so far as it goes?—Very beneficial.

199. You think it would be better carried still further?—Yes.

200. Your experience of the results of the alteration has not weakened your faith in the principle, but confirmed it?—It has.

Martis, 24° die Julii, 1843.

PRESENT:

Sir John Yarde Buller.	Mr. Estcourt.
Mr. Greene.	Mr. Ewart.
Mr. Loch.	Sir R. Ferguson.

LORD GRANVILLE SOMERSET, IN THE CHAIR.

James St. George Burke, Esq., and *James Robinson Hayward*, Esq.; called in, and Examined.

J. St. Geo. Burke, Esq., and *J. R. Hayward*, Esq.

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201. *Chairman.*] (To Mr. *Burke.*) HOW many years have you been connected with Parliamentary practice?—I have practised as agent for about ten years.

202. During that period, what has been the custom in Committees with reference to making any alteration in the preambles of private Bills?—I think it is not a very common practice to alter preambles; but I do not believe that the fact of so few cases of such alteration having arisen, has resulted from the circumstance of its being considered a step that could not be taken, but from the circumstance that preambles are generally prepared in such manner that parties are enabled to prove them.

203. They are generally prepared, so that either, if the evidence comes up to them, they succeed, or else the evidence completely breaks down, and the main point not being proved, the Bill is lost?—That is mostly the case.

204. Do you remember any instance in which an alteration has been made in a preamble?—I do.

205. In this Session or former Sessions?—Both in this and former Sessions.

206. Will you mention any one in this Session which will illustrate the practice?—I have brought a Bill with me to illustrate the practice. The case I allude to is the South-Eastern Railway. The company came to Parliament this year for power to extend the line of railway into the town of Dovor, and they proposed by the same Bill to take the power of repealing certain tolls upon coals which were leviable in the town of Folkestone; for instance, they had in that town a power of levying (2*s.* a ton, I think, was the amount) upon all coals passing through the liberty of Folkestone, and this was sought to be repealed with other tolls. The preamble, therefore, was so drawn as to recite the various Acts under which such tolls were imposed; it recited also the expediency of doing away with them; this elicited a good deal of opposition on the part of persons interested in the tolls; and before the Bill came into Parliament, it was agreed that some modification should be made. An arrangement was accordingly made, to pay them only a certain portion of those tolls, and in consequence the whole of the preamble was altered. An arrangement was come to between the parties before the Bill went into Committee, under which the South-Eastern Railway Company consented to forego some of the objects they had originally contemplated, under which arrangement all opposition was removed; that necessitated an extensive alteration in the preamble, which I have here, and which was done without any observation being made by the Committee.

207. When was the arrangement made by which this alteration was agreed to?—At some time after the introduction of the Bill.

208. Before the second reading?—I can hardly state whether it was before the second reading or not. I should apprehend that it was; but I can hardly answer certainly; I was not a party to the negotiation.

209. You were agent for the Bill?—I was.

210. How soon did the necessity of an alteration of the preamble become known

known to you in the progress of the Bill?—Only when we were preparing the Bill before the Committee.

211. In point of fact, that arrangement was not communicated to you till the Bill had passed the second reading?—I think not. I can hardly tax my memory as to the time when I became acquainted with it precisely; I was in frequent communications with the solicitor, and may have known it before the second reading, but I should never of course have thought of altering the preamble upon the second reading.

212. Suppose this arrangement had been communicated to you before the second reading, what would have been the advice you would have given as to the formal mode of the alteration of the preamble?—I should have had no hesitation, according to my notion of what the practice is, to say you should alter it in Committee.

213. You would not have thought it necessary to apply to The House, previous to the second reading, for alteration?—Certainly not, according to my notion.

214. According to your notion of the practice, you knew there would have been no precedent for calling upon The House before the second reading to alter the preamble?—I never heard of such a thing.

215. In your belief, the regular practice would be, to leave it to the Committee on the Bill, and not ask The House to make the alteration between the first and second reading?—I think so; if I might be permitted, I would say, I hold this great distinction between public and private Bills, that on the second reading of a private Bill (I may be wrong in my idea), The House do not affirm the principle of the Bill, but, on the contrary, they in no manner do so; they send it to the Committee to inquire whether the allegations of the Bill are correct.

216. You would compare it to the finding of a Grand Jury, saying, in effect, that the general objects of the Bill are of a nature to be entertained by The House, but, as to the particular points, to leave them to be ascertained by the tribunal to whom they refer the Bill?—Your Lordship puts it exactly according to my impression.

217. When you came into Committee upon the Bill you have named, did you or did any of the parties offer any observations to the Committee to induce them to strike out portions of the preamble?—Nothing further than the statement that matters had been arranged between the parties, and that the Bill would pass amicably.

218. A statement was made by the promoters of the Bill that certain portions of the preamble, and a certain portion, therefore, of the objects of the Bill, would be withdrawn in compliance with the agreement, and you begged the Committee to strike out those portions of the preamble and those clauses which had relation to such objects?—Exactly so.

219. Supposing there had been no power of amendment of the preamble in that way, what do you believe would have been the effect upon the measure generally; would the effect have been to increase the expense, or would it have defeated the measure, or done both?—If it had been absolutely essential that the Committee should pass the whole of the preamble or none, it might have had this result, that parties at Folkestone opposing the Bill, upon the ground that it was wrong to deprive them of their toll, might have succeeded in their point, and the whole of the Bill, the main object of which was to extend the line to Dovor, would have been lost.

220. All your Standing Orders' Notices had been given regularly?—Yes; that was looked into by the Committee upon the Petition, of course; I may state, with reference to that Bill, that it would have been competent for the parties to have gained the same object they had in view by the preamble in the shape in which it was drawn, by putting separate preambles at the head of the different clauses; recitals, in the form of a preamble, are frequently placed at the head of the enacting clauses; supposing I had anticipated that there would have been difficulty with regard to this alteration, I might have stated in the preamble of the Bill simply that it was expedient to make an extension of the line to Dovor, and to make certain alterations in the Act relating to Folkestone, through which the railway was to pass; I should then, at the head of a clause, perhaps, have set out the particular circumstances of the case connected with the tolls, and risked that question upon such clause instead of the whole preamble of the Bill; I state that, to show that, in point of fact, the preamble is not an essential part of the Bill

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in its first consideration, for the preamble may be amalgamated in the clause, and, therefore, if so, it cannot be considered, I apprehend, to be more important or more incapable of alteration in one part of the Bill than in another.

221. Will you have the goodness to state any instances in preceding Sessions where alterations of preambles have been made?—I have brought a Bill, which your Lordship will recollect as having been on the Committee; that was in the Session of 1840—the Taff Vale Railway Bill; that is a case still stronger than the one I have alluded to; that Railway Bill originally stated in the preamble an intention to increase the tolls which parties were authorized to take upon that railway; the Bill was opposed on that very ground on the second reading, and that second reading was only carried by a majority of one. The chief point upon the second reading appeared to be the question of that increase of tolls, so far as the discussion went; the Bill went to the Committee, and the Committee struck out all that part of the preamble relating to the increase of tolls.

222. Can you carry your recollection so far back as to state, whether it was not declared in the discussion upon that second reading, that to obviate opposition, there would be no objection to strike out the increase of tolls?—That I can hardly say; I was not present in the House.

223. But, in point of fact, was there not something of that sort, according to your impression?—I think so.

224. Either precedent to the discussion, or during it?—I can hardly say that I recollect this; but parties, when they find it essential, in order to carry their Bill, to give up a particular object, ofte n do so, and therefore I think it possible; I know they considered that increase of their tolls in the present instance essential; at the same time the Bill did give them collaterally some increased charge; but as to that increase upon which the opposition arose, it was passed on the second reading by a majority of one, and then the words were struck out by the Committee.

225. In that Committee upon the Taff Vale Railway, in 1840, was there any division upon the subject of striking out any portion of the preamble, or was it carried by consent?—I think there was a division upon the question, but not upon the exact form of the alteration; I think there was a division.

226. Upon the merits and not upon the formal point?—Yes.

227. Did the promoters of the Bill themselves insist upon retaining their preamble, and the Committee overrule them?—I rather think it was so, but I can hardly tax my memory; it frequently happens, that when you see which way the evidence is going, and what the feeling is, that parties will yield at the last moment.

228. There being a division, it is apparent some parties were present who were anxious to get an increase of toll?—My recollection is, that we were desirous of getting an increase of toll, but that it was negatived by the Committee on a division.

229. In point of fact, the Committee did strike out that important portion of the preamble?—They did.

230. Have you any other instance besides that?—I have brought three, one of the last Session, 1842; this is an important case, because it goes the other way; this was an important Bill; the object was to facilitate arrangements in connexion with the Stanhope and Tyne Railway Company, and to incorporate some of the proprietors.

231. Mr. *Greene*.] What year was that?—Eighteen hundred and forty-two, last year; that was a very unusual Bill altogether.

232. *Chairman*.] Were you for the promoters?—I was for the Bill; considerable discussion arose in the Committee whether the company had been dissolved or not; it was existing merely on a partnership deed. Lord Howick suggested this alteration of the preamble: "that whereas doubts had arisen as to the validity of such dissolution, it was expedient they should be removed." His statement was, I think, that there was no use in discussing the question whether the company was technically dissolved or not. We think it should be considered dissolved, and therefore we will insert these words. Mr. Speaker considered that the Committee had no power to make such an alteration, and consequently those words, on bringing up the report, were struck out.

233. Were those words inserted by consent, or on division?—They were inserted by the Committee, and I should hardly think there was a division; it was while the parties were out of the room; I think a majority of the Committee

mittee were in favour of the Bill after hearing the case, and I think inserted those words with the view of removing all difficulty.

234. They thought there was some technical objection to carrying the Bill *in extenso*, though they were favourable to the main objects of the Bill?—Yes, I think so; but though that addition was objected to by Mr. Speaker, there is another minor alteration in the preamble, which was unobjected to by him.

235. An alteration made in Committee?—Yes, and adopted by The House. The preamble originally stated that the "debts and liabilities of the company were ascertained to amount to 426,685*l.*" I find that altered thus: "ascertained to amount to 440,000*l.* and upwards." It is clear that there was originally an erroneous allegation in the preamble. The Committee, upon proof of the facts showing that it was erroneous, at once amended it, and made it consist with the facts; but as to the introduction of new matter, there Mr. Speaker thought that it should not be introduced, and the words were struck out.

236. How could that be considered new matter which was only obviating a difficulty, and affirming positively that which before was doubtful?—I presume it was considered as new matter; I did not consider it an important alteration, or so important as that the Committee could not make it.

237. Would the same Standing Orders precisely have been applicable in case of the preamble having been drawn in the way in which Lord Howick wished it?—Quite so.

238. Would there have been any material distinction whatever?—No.

239. The notices would have run in the same way, not only as to the spirit of them, but *totidem verbis*?—Yes, precisely.

240. And supposing you had begun with the intention of drawing the preamble as Lord Howick proposed it, the parties to whom notices were given would have been no more aware of the intention than under the notices actually given?—Certainly not; that was not a case in which individual notices were given; it was a third class Bill, requiring merely newspaper notices.

241. The parties concerned, if they had known of the alteration, would have been no better or worse off than they were with the knowledge they gained from the notices of the Bill as originally drawn?—Certainly not.

242. Have you any other instance to adduce to the Committee?—No; the bearing of my recollection is, that cases have been frequent of that kind in numerous Bills that have passed; I cannot at this moment call to mind the precise cases in which they have arisen, except those which the Committee have heard of; but I dare say Mr. Hayward will be able to do so.

243. The Committee are to understand, though you are not prepared to give them particular instances, that your belief is, that during the whole of your professional experience connected with Parliamentary business, no Session has elapsed in which an alteration of preambles has not taken place?—I should say so.

244. And you have advised your clients, supposing they came to you on the subject, that they could have their preambles altered in Committee?—My advice to my clients would be, "You cannot amend your preamble, by putting new matter which would involve any alteration of the Standing Orders, but as to any alteration of your existing preamble, by striking out a portion, or rendering it more clear as regards the wording of it, you can do that." I would just suggest this: some parties draw their preambles lengthily, some endeavour to make them as short as possible; some parties would say, a railway from A. to B. would be attended with great advantage; another person would add, "by connecting certain towns and producing other beneficial results." The Committee would affirm, perhaps, the preamble generally, that it would be an advantage, but they might say, "We do not think it would carry out all these beneficial results," and therefore they might strike out all those words, and leave the first part standing, without interfering with the spirit of the preamble.

245. Do you recollect the substance of the preamble of the Bill brought in for the Great Western Railway originally?—It was for making a railway from London to Reading, and from Bath to Bristol.

246. Do you know whether it included any mention of advantage to Oxford and other towns?—I am satisfied it did, by facilitating future intercourse with those towns.

247. According to your experience, you would advise parties not to put in all those adjuncts, but merely say, "Whereas it will be expedient to make a railway between London and Reading, and Bath and Bristol?"—Yes.

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248. Suppose the power of altering the preamble were completely prevented; that is to say, that no alteration could be permitted, by striking out under any condition whatever; what would be the advice you would give your clients?—To make the preamble as meagre as possible; to exercise ingenuity in that.

249. Do you think it necessary there should be any preamble at all?—I do not think so. I think the title of a private Bill is as much as The House affirms upon the second reading, not the words, but the objects of the Bill, as they are included in the title; that, I think, is sufficient for The House to adjudicate upon on the second reading.

250. You would feel it your duty, under the circumstances of any alteration of the preamble being prevented, entirely to advise your clients to avoid introducing any matter into the preamble that could be controverted, or require amendment?—Yes; and it would also tend to that which I before alluded to, namely, putting preambles to the clauses.

251. You think there would be two ways of evading the rule, and which you would feel yourself called upon to adopt to avoid the difficulty, either to make the preamble very meagre for the general Bill, or in all enacting clauses to introduce a preamble?—I think it would have the effect of leading to one of those courses.

252. The result would be, that, instead of the Committee forming a general opinion upon the whole body of the evidence produced, in the first instance, as to the general objects of the Bill through the preamble, it would be needful to marshal the evidence to bear upon each individual preamble, the opening preamble not elucidating the general merits of the Bill?—I think so.

253. Take the other side of the question; if I understand right, you are quite of opinion that there should be no such power of alteration as to extend the objects of the measure beyond what might be considered the limits of the original preamble?—I certainly think so. You certainly should not extend beyond your notices; but there again The House allows you, by presenting a Petition, for further provision to introduce new matter into the Bill.

254. Adverting to the regulation of last Session as to printing the Bill in the first instance, do you not see that without the previous form of presenting a Petition to The House, if you admit a great extension of the objects of the measure after the Bill gets into Committee, you annihilate the advantages of the Bill being printed in the first instance?—The first object of having the Bill printed was, that the Committee on the Petition might see whether the Standing Orders applicable to it had been proved; it was not, I apprehend, with reference to public information; but to give information to the Committee as to all the objects of the Bill, for them to see that the Standing Orders have been complied with. If you allow extensive alteration in the preamble afterwards, it might sometimes involve objects in respect of which further Standing Orders ought to have been complied with, and then there would be an objection; but I think that the Committee clerks, in all cases, would prevent that.

255. Do you think, practically, there is so much probability of inconvenience in applying to The House, where an extension of the objects of the Bill might be necessary, as to induce you to go in a shorter way to work than the present system will admit?—No; I can conceive many cases where I should think an application to The House would be necessary to allow an extension of the preamble; but why I do not answer that question more directly is from a recollection of this Bill which I brought just now before the Committee, in which this amendment of Lord Howick's was made; I think that that was an alteration of the preamble, and an addition to the preamble which might really have been made by the Committee; it did not involve the doing of any thing; no party could be affected by it; but it was merely an elucidation of the preamble.

256. It is additional in point of words, but if I understand that application rightly, it was not additional to the real principle of the preamble, it was not enlarging the powers of the Bill?—It was finding a new fact.

257. Taking that particular case; what objection would there have been for the Committee to have come to their resolution, that such an addition should be made, and then apply to The House for leave to make it?—I believe the cases to be so rare where such additions are necessary, that I think no difficulty would arise; where additions are made to the substance of a preamble, where they are not merely verbal, I cannot see that there would be any inconvenience to any parties in an application to The House; I should allude also to another case of a

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Bill I brought in three Sessions ago for making an alteration of the line of the North Midland Railway with two branches; one of those branches, before we came into Committee, it was found expedient to drop, and the preamble was amended by striking out all the matter relating to that; no person was aggrieved by it; for instance, I assume the preamble to state that an alteration of the line of the North Midland Railway and the making two branches to A. and to B. would be an advantage; the alteration is by striking out all that relates to B., and leaving that only which relates to the branch to A.

258. Taking that example, does it not occur to you that, even striking out so much of that preamble, would be altering essentially the general nature of the measure, and so essentially, perhaps, as to induce parties previously contented to abide by the measure to object to it, as it is so much altered?—I can conceive it possible that parties might; but I think this, that when they have notice of a Bill before Parliament, they have notice of such a Bill as Parliament has it in its power to alter as they think fit, and therefore those parties having that notice are bound to watch the proceedings, and when they find themselves aggrieved, to complain.

259. Perhaps you think the answer would be that the Committee upon the Bill would not permit any thing which was unfair to individuals to be effected by that alteration?—Yes; there is a Standing Order in the House of Lords which bears upon this question; namely, that where parties in the progress of a Bill make any alteration in an existing plan, you shall not bring it into the House without giving them notice, and depositing a plan of the alteration; that is not precisely in point, because it does not relate always to the preamble, but it bears upon this question.

260. Were you ever engaged in opposition to a Bill when the preamble was proposed to be altered?—I do not immediately recollect that I have.

261. Do you recollect at any time promoting a Bill, and having occasion to resist a proposition to alter the preamble?—In the case I allude to, the Taff Vale Railway.

262. Have you successfully resisted any?—I do not remember at this moment; it is possible it may have arisen without my remembering it.

263. You have been engaged in various oppositions to measures?—Yes.

264. Putting yourself in the position of an opponent to a measure, would you feel that alterations of a preamble might be unjust to the parties who are in opposition to a particular measure?—I cannot see it; I have always considered the preamble was just the same as the clauses of the Bill are, brought under the notice of the Committee; the Committee would not step beyond the general object of the Bill in its first introduction, but they might alter the Bill in its preamble or clauses, as might meet in their view the justice of the case; and in opposing a measure, you do not consider yourself bound, by not opposing what is in the preamble, not to object to the subsequent clauses.

265. Looking at the interests of the public, do you think it is desirable that the preamble should be extensive, embracing all the main points of the Bill brought together, rather than that it should be either very meagre or distributed over the Bill generally, at the heads of the clauses?—I think it is better that the preamble should state the principal objects of the Bill; certainly, if a Bill, as in the case I alluded to, of the South-Eastern Railway, has different objects, as, for instance, the making a railway into Dovor, and repealing the tolls; I think it is fairer that the preamble should state both those facts, that it is expedient to make a railway, and expedient to repeal the tolls, rather than state generally the expediency of making a railway, without alluding to the other alteration.

266. You might make another preamble: "Whereas it is expedient to amend the powers of the South-Eastern Railway Company," without specifying the objects?—The powers relating to tolls were possessed by other parties.

267. You might in various ways evade a declaration of the objects by such general terms as to prevent any possibility of altering the preamble?—I should have no difficulty.

268. On the other hand, the public, in looking at the Bill in that case, would not have seen the double object of it so clearly as when brought together in the preamble?—No.

269. As to the title of the Bill, that is put on, when?—You may alter it on the third reading.

270. At what period is the title put on?—I should say the title is on the Bill when

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when read the first time, but it may be altered at the last stage at the third reading.

271. It is the last process?—It is.

272. It is the last question put before the Bill passes?—Yes, it is made to fit the Bill.

273. And therefore the title cannot stand in the place of the preamble at all?—There is no discussion in the Committee upon the title; whatever be the title given, it indicates at once the main object of the Bill as introduced; in short, it is an index to the main objects of the Bill.

274. That title is never discussed in Committee?—Never.

275. Nor amended?—No; you cannot touch it in Committee.

276. And it does not therefore bear any analogy to a preamble, or stand in its place?—No, certainly not.

277. Do you think it would be desirable to have some more regular process, by which The House might be made aware of the alteration of the preamble?—I think the Breviate which Mr. Booth prepares sufficiently indicates what has been done in Committee.

278. That Breviate, though it gives publicity, is not an official document, in the strict sense of the word?—We are required to circulate the Breviate; it is laid on the table, and also sent round to every Member, and therefore it is the best notice that can be given to every Member of what has been done.

279. It is not information given to the public, except they choose to study the Breviates?—No.

280. It ought to be a practical notice to the parties who are to decide upon the Bill in the House of Commons, but not a regular notice by which the attention of other persons out of the House is called to it?—No; no notice is given of what is done in Committee out of the House.

281. Mr. *Ewart.*] You do not think it advisable that when a preamble is altered, any further notice should be given in the House?—No.

282. *Chairman.*] Do you think there would be any objection, when the powers of a preamble are diminished, that as a matter of necessity such alterations in the preamble, whatever they may be, should form part of a special report made to The House at the same time that the Bill is reported?—I see no objection to that.

283. The practical effect of that, together with the alterations being specified in the Breviate, would be to make Members of the House cognizant of the alterations having been made, and call their attention to what it is?—If they read the Report; there can be no sort of objection to that being specially reported.

284. Supposing, in addition to that special Report being made of the fact of an alteration, you call upon the Committee to state the grounds on which they make it; would not that, in your belief, be a fair restriction upon any thing like an excessive exercise of such powers on the part of a Committee of altering the preamble?—Yes, it would, to a certain extent; but I can conceive that this special Report would be very meagre in most cases.

285. Those reasons must be made by a vote of the Committee; the way in which a great deal of what may be termed improper proceedings take place in a Committee on minor points, is at the moment the Committee is breaking up, when the attention of parties is not particularly directed to what is going on; as the parties are walking out, something is done, and no notice taken of it; but if you had a special vote of the Committee upon the question, there must be something like order and attention upon the part of some of the Members of the Committee to that point; from your experience, should not you say that that is an advantage which would arise from stating the grounds on which the Committee had made any alteration?—There might be some slight advantage; but I should not state honestly what my real conviction is, if I did not inform the Committee that the course taken would be this, that if we wanted to amend the preamble, we should ourselves prepare a special Report of the grounds for it, and that Report would probably be passed at the breaking up of the Committee, just at the close ofits proceedings, in the way in which your Lordship has alluded to.

286. Take the case of the Taff Vale Railway: if you had been an opponent to the augmentation of the dues and the rates, which was one part of the object of that Bill, whoever proposed the omission of that part of the preamble must give some reason for doing so; and if the promoters of the measure, rather than give up their Bill, concede that point, of course they would not be the parties to draw

draw up the reasons for the omission, but the onus of doing so would be thrown upon the parties proposing the alteration, and to that extent would be brought before The House if they chose to discuss them, the grounds upon which the alteration was made?—I can conceive many cases in which such a Report would be carefully prepared, and would be an advantage; and so I can conceive many where the contrary would be the case.

287. Do you think there would be any cases of inconvenience or injury result?—None, certainly.

288. Mr. *Ewart.*] Do you remember an instance in which the powers of a Bill were extended, without an application to The House?—No; I have never known a preamble extended at all by a Committee, beyond the original scope of the Bill.

289. Do not you consider that if a Bill is to be extended, it should not be without the sanction of The House?—It depends upon what the extension is. In the evidence I have given I have guarded myself in that respect; if the extension involved any new matter, not within the scope of the Bill as originally introduced, then it ought not to be made without an application to The House; but such an alteration as that I have referred to here, in the case of the Stanhope and Tyne Railway, which is not a new object introduced into the Bill, but merely an explanatory paragraph, that might be introduced, I think, without any application to The House.

290. If it were otherwise, might not parties not represented in the Committee suffer in case of an extension of the preamble, without an application to The House?—No doubt; in point of fact, it is not done in practice now; the right method in such a case would be that pursued in a case which Mr. Hayward had this year, namely, the Birmingham and Gloucester Railway Bill, where new matter was introduced into the Bill: there, an application was made to The House which went to the Standing Orders' Committee, to determine whether the Standing Orders had been complied with.

291. Has the construction of private Bills been improved of late years?—I think the Model Bills have introduced a great improvememt.

292. They have tended to shorten Bills?—Not to a great extent; in some respects they have, by leading to an omission of a great deal of what was tautology and verbiage in Bills.

293. Do you think that the introduction of selected Members has had a good effect upon the decisions of Committees?—I have no doubt of it.

294. Are you of opinion that an extension of that principle, which involves the principle of freedom from local influence, would be an advantage or disadvantage?—I have always been of opinion, strongly, that the exclusion of local interests was very desirable in the constitution of a Committee, though I must admit the presence of local Members is often of great use.

295. Do you not think that the advantage derived from the presence of local Members might be obtained by allowing them to appear in Committees without taking part as judges in a case in which they might be interested?—My own view has been, that if a Committee were constituted of a certain number of parties wholly disinterested, but allowing all persons having a local interest to attend that Committee, and put any questions they might think fit to elucidate facts which they might require, that would be the best constituted Committee.

296. (To Mr. *Hayward.*) Do you coincide in the views of Mr. Burke on that subject?—I do.

297. You think that Committees should be exempted from local influences?—That is my opinion.

298. Mr. *Greene.*] (To Mr. *Burke.*) You have been asked some questions respecting provisions being introduced into a Bill beyond those existing in it, as printed; is it competent to a Committee to introduce such alterations?—I should consider that a Committee would not alter a Bill so as to extend the scope of it as originally brought in.

299. Whether in a public or a private Bill, the Committee cannot go beyond the scope of the title and the preamble?—No; at the same time it is difficult to say precisely what is the scope of a Bill; for instance, in the last year a Bill was brought in to make a railway from the London and Birmingham Railway to Warwick and Leamington; in the progress of that Bill I procured the insertion of a clause enabling the Birmingham Railway Company to buy up the railway to Warwick and Leamington; that, it may be said, is new matter, and so it is, but there was no difficulty in inserting it by making the recital a preamble

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to the clause itself, instead of making it a part of the general preamble of the Bill; a preamble was put to the clause, stating that it was a branch from the main line, and that it might be worked more economically by the London and Birmingham Company.

300. Was that introduced without any instruction from The House?—Yes; it was put in, in the House of Lords, and came down as an amendment of the House of Lords.

301. Cannot you imagine a case in which that might be productive of very great hardship to parties?—I think that a Committee, in all such cases, would exercise their own judgment as to whether it would or not. In the particular case in question, that clause was considered, as all important clauses are, by Lord Shaftesbury, in the other House of Parliament. I am aware that this Committee can hardly take into their consideration what is done by Lord Shaftesbury in the House of Lords; but I may say that the real practical result is, that every clause of importance does pass through that double ordeal; and therefore no clause, extending improperly the scope of a Bill, would be allowed to be introduced.

302. In that case, were the London and Birmingham Railway Company parties to the original Bill?—No further than as promoting it covertly; they were not parties before Parliament, but they were much interested in its going on, and they were, no doubt, giving it assistance, with the view, I do not doubt, of getting eventually the control of it.

303. Have you any recollection how it was brought in before the Committee of either House, that the consent of the company had been obtained to such a clause?—In the House of Commons it never went before the Committee at all; but in the House of Lords, Lord Shaftesbury always requires the consent to be shown of any company against whom any power is given by a clause such as that referred to; I do not know that he would require it in the case of a mere enabling power, but in this case the consent of the Warwick and Leamington Company was essential to the introduction of such a clause.

304. In that case, the consent of the original promoters of the Bill was rendered necessary to the introduction of that clause?—Yes.

305. Cannot you imagine that parties might have subscribed originally to that railway who would not have consented to the introduction of such a provision?—The clause would, of course, be so framed as to guard against any injustice in that respect; in that case, the clause would require a meeting to be held, and a large majority of the proprietors, to the amount of three-fifths, I believe, to consent to such an act; and then of course the minority would be bound by the acts of a large majority, and justly and properly so.

306. The House directs notices to be given to the parties affected by any measure as a safeguard to them?—When lands are taken.

307. The preamble of a Bill and the Bill itself are subsequently looked upon as notice to the parties of what is going to be done; are they not?—No, I should hardly think so; I think, as I stated at the beginning of my evidence, that the notice to a party is, that a certain Bill is to be introduced into Parliament; when they have that notice it is accompanied by a knowledge that Parliament may, in their discretion, alter the Bill.

308. Is it not a common case that parties in the country send to you, as their Parliamentary agent, to transmit them a copy of a Bill, that they may know what is going to be done?—Yes, it is very common.

309. If they find, on an examination of a Bill, that they are not affected by it, they think no more about it?—Where they have important interests at stake, the usual course is to get us to send them a copy of a Bill, and then to watch it in its progress; the interests affected by these Bills are generally of some magnitude; and in all cases where they are so, I think parties have an agent watching the progress of the Bill.

310. That may be the case where there are large interests affected; but are there not a large number of small proprietors, and the poorer kind of people, who may be interested, and yet who could not well afford to employ an agent to watch the Bill?—That argument would go to the extent of preventing a Committee from making any alteration, because they could not judge what clauses would affect particular interests.

311. With respect to an alteration in a preamble, such as materially to reduce the objects of the Bill, cannot you conceive that parties may have given their consent to the larger measure who would not have consented to having their land

land cut through for the sake of the smaller?—Yes, I can suppose such a case; but I do not think that the consent of parties is a matter by which Parliament is guided; it is quite true, Parliament requires you to give notice to all those persons of the introduction of a Bill by which they will be affected; and Parliament goes further, and requires you to deposit a list, containing their assents or dissents; but Parliament is not guided in the course it takes with regard to the Bill by the number of those assents or dissents; I have passed a Bill with four-fifths of the landowners dissenting.

312. Do you not know that it is the constant practice before Committees and before The House to lay as the ground of supporting a Bill, or for the rejection of a Bill, that the landowners, through which the line passes, are assenting or dissenting?—If I am promoting a Bill, and allege the consent of a large portion of the landowners, and afterwards propose to alter the Bill, it is quite certain that those opposing me would urge the argument just referred to, that the landholders had not consented to the Bill so altered; I may call the recollection of the noble Lord in the chair to a case which occurred in the year 1834, viz., that of The Great Western Railway. There, the line was originally laid down to Vauxhall Bridge, and subsequently stopped at the Toy, at Brompton; it was made a great subject of discussion throughout, that the parties had given their consent to a railway to come to Vauxhall, and not to stop at Brompton, but Parliament considered that no great weight was to be attached to such an observation.

313. In such a measure, it can be perfectly understood that a great many eyes might be upon it; but in a measure of smaller importance, might not great injustice be done by some abbreviation of the line of railway?—I do not see what injustice could be done; parties might of course bring in a Bill for an extended or limited object originally, and supposing it brought in originally for a limited object, then the parties who might have been affected by the extended scheme would never have been applied to.

314. If I gain an access to a certain spot by having my lands cut through, I may be willing to have them so cut through; whereas, if you fall short of that spot, I would not consent?—Suppose the recital that you make by your preamble to be, that it is desirable to make a railway from A. to C., and that, when you come into Committee, you find it is expedient to stop short at B.; you bring your evidence to bear upon the desirableness of a railway from A. to B. Parliament does not consider the consents which may have been given as decisive of the question, though they may be a matter of argument, but the absence of them would not go to the extent of defeating the Bill. Parliament considers whether it is expedient the railway should go to C., or that it should stop short at B.

315. The notice to the parties is then of little avail; you give them notice of one thing, and you do another?—That has been decided to be done in many instances; one recent case I remember, where the point arose, not with reference to the preamble, but in the Committee on petition: Mr. Hayward had a Bill, which I opposed (and I know there have been many other similar cases), where the parties had given their notices in the newspapers of their intention to make a railway from A. to C., and had made applications to all the landowners for the purpose of such a railway, but brought in their Bill for a railway from A. to B.; the Standing Orders' Committee held that notice and those applications to be sufficient.

316. That is a very different case, is it not, from cutting the work short in the Committee, because the parties there have no notice by the printing of the Bill that you do not intend to go further than from A. to B.?—I do not consider the printing of the Bill to be notice to the parties; they have notice of the intention to introduce the Bill, and when that Bill is before Parliament they know that Parliament has power to deal with it as they think fit, and that if the evidence fails to establish the expediency of going to C., Parliament has full power to say the railway shall stop at B., and the parties have no right to complain; that has been held in the House of Lords as well as in the House of Commons; the power has been opposed in both Houses, and much argued, and both Houses have concurred in the same principle.

317. *Chairman.*] As to the point in question, the alteration of preambles causing possible injustice in the way imagined by some former questions, do not you consider an infusion of local Members into a Committee would, to a certain extent, neutralize those objections?—Their presence, but not their power to vote.

318. Do you not suppose that the necessity of the presence of local Members is very likely to neutralize any injustice to individuals from such alterations?—I think

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I think it might do so, but, on the other hand, I think where the selected Members would have the control of the Bill in their own hands, they would be peculiarly guarded in allowing alterations to be made in it; whereas if local Members were present, they might more readily allow them to be made, although those local Members might be right or wrong in so doing.

319. They generally represent individual interests more than selected Members do?—Yes; and local interests, which may be hostile to the Bill in question.

320. The supposed case put by Mr. Greene was this, that an individual consents to a personal inconvenience for the sake of a great public object; if you make that public object only half what he anticipates he will be defrauded of his *quid pro quo*; what effect, in your mind, would the presence of local Members have upon such a case?—I think a local Member is generally either for the Bill or against the Bill before it comes into Committee; if he be for the Bill, generally speaking, he will probably advocate its passing, though it may have the effect supposed of injuring an individual who has not given his consent; that consent is not a contract between the parties, as that I will allow you to take my land if you do so and so; but it is a general consent to a measure proposed by a Bill given with the knowledge that Parliament will deal with that Bill as they think proper.

321. Were there not instances, in 1837, of parties objecting to the Great Western Bill not being a complete measure?—That was with reference to the hiatus between Bath and Reading.

322. Was that a simulated or real ground?—A simulated ground, no doubt, urged by counsel as a means of defeating the Bill.

323. But not a *bonâ fide* ground of objection?—No.

324. What effect would, having several preambles, have as to fees; would it incur further fees according to the rules of The House?—No, unless they were distinct and separate objects.

325. Take the case of Folkstone, which you referred to?—The separate objects would have paid upon the clauses the same as if they had been mentioned in the preamble.

326. And in the preamble as if they were in a clause; there would be no distinction?—No.

327. The parties would not be checked, by the system of fees, from pursuing that course, if advised so to do?—No.

328. As to model Bills, what is the understanding, among the Parliamentary agents, of the effect of those model Bills; what amount of authority do they attribute to them?—We attribute this authority, that we should hesitate to make an extensive alteration in a principle established by a model Bill, without bringing it under the notice of the Chairman of Committees in the Upper House. We should go to Lord Shaftesbury, and when we obtained his sanction, we should be satisfied as to the alteration.

329. Are those Bills authorities in the House of Lords?—Just the same as here.

330. What authority have they in this House; were those Bills drawn up and submitted to a Committee of this House, and also submitted to the other House?—Yes.

331. Were they affirmed as model Bills by the constituted authorities of the other House?—No.

332. All the weight you attach to them is, that they are good forms, and that it is an argument, *quantum valeat*, that if the Bill is drawn according to those forms, it is well drawn?—We constantly make use of such an argument in Committee; if a clause is opposed, we say it is in accordance with the model.

333. You give weight to your clause by stating its adoption from the model?—Yes.

334. But you do not consider it as an authority?—No.

335. Only as a good form?—There are certain principles involved in private Bills which Parliamentary agents know perfectly to be the principles which Lord Shaftesbury will adhere to; and these principles are carried out in the model Bills, and we should never interfere with them without his sanction.

336. Confining your attention to the House of Commons, it is not at all supposed they have any authority whatever?—No authority; weight they would have.

337. It is well known they have never been adopted by any competent authority?—Never; it would be most inexpedient to say a Bill shall be a model, incapable of alteration, because all cases rest, to a certain extent, upon their own merits.

338. Those Bills were drawn up by certain gentlemen of considerable experience

rience as intended to be the frame-work of Bills embracing particular objects, and for the purpose of improving the mode in which private Bills are drawn; and they were submitted to a Committee, but that Committee never, in point of fact, either affirmed or denied their merits; that is the way the thing stands, is it not?—Yes.

339. But, as far as the House of Lords is concerned, you conceive they sanction these forms of private Bills in that House, through Lord Shaftesbury?—My belief is, that he approves of them generally.

340. In fact, is not more weight given to them by Members of the House of Commons than that; is not that the truth?—No; I do not think a Committee hesitates to alter a model form if they think circumstances require it; they are useful precedents, and generally embrace principles which we know to be sound.

341. You think, as far as agents and persons generally are concerned, they know well the value of the Bills, and that it is not greater than that now stated?—Yes; we follow them as nearly as we can, unless they are inconsistent with the objects in view.

342. If you are promoting a Bill and supporting a clause, drawn in accordance with them, you make the most of them, and, if opposing, you state that they are no authorities at all?—That is so.

343. Mr. *Greene.*] In point of practice, you do accommodate yourself to the model form as much as possible?—Yes; it facilitates our proceedings.

344. Would not benefit result from those forms being again amended, for the purpose of having additional weight given to them?—I think not; I think that every year's experience will suggest some new amendment; I do not know that they can be said to require a totally new modelling; they are good precedents, and that is all we can say.

345. Do you think advantage might not be derived from such Bills being prepared, having the sanction of Parliament, so that Parliament, in point of fact, should lay down the principles on which private Bills should be drawn?—I think quite the contrary; I oppose strongly, from my own experience, any thing like Standing Orders' clauses; I have never known them but what in some cases they worked evil.

346. Take, for instance, the Police Bills; does not mischief arise from adopting a vast variety of Police Bills in different towns?—I have not known of any inconvenience arising from it; if I am employed on a Police Bill, I collect the precedents of other Bills, and look to the experience of other towns; the agents who have promoted the last Bill have done the same, and sought to make that last as perfect as they could; and again, our last may be a precedent for others coming afterwards.

347. Do you not think that model Police Bills would be an advantage?—No: for instance, Liverpool, which has extensive laws of police, is under different circumstances from an inland town; last year the Liverpool Police Bill was before Parliament, and certain clauses were proposed to be introduced, compelling public-houses to be closed till one o'clock on Sunday; there was a public Bill in Parliament to establish a similar rule at the same time, throughout the kingdom, and that Bill was thrown out by an immense majority of the House of Commons; we were opposed on our own private Bill, but carried it, from the peculiar circumstances of Liverpool; and there I am prepared to say, these clauses have worked in the most singularly beneficial manner; in three months they have diminished the convictions before the magistrates by 1,100.

348. Do you mean that the morality of the town has improved, or that the number of detections has diminished?—In consequence of the peculiar circumstances of the population, and the immense number of the Irish, and other porters and labourers, who had nothing to do on Sunday, the public-houses were open at five in the morning, and those people were in a state of drunkenness for the rest of the day; the police were active in taking the disorderly into custody; and the convictions on Monday morning were enormous in Liverpool; by the introduction of these clauses, compelling them to keep the public-houses closed till one, a great change has taken place; and I know, on the authority of the stipendiary magistrate, that the number of convictions has been 1,100 less in three months, than in the corresponding three months of the year preceding the passing of the Bill.

349. Because the crime was prevented, and not because it was not detected?—Just so.

350. Are you not aware, also, that for want of that conformity of system pervading

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vading adjoining places, great mischief has accrued to places across the water, in the neighbourhood of Liverpool?—I think not; in the Birkenhead Improvement Bill, finding that they worked so well at Liverpool, we have inserted the same provisions; but I am not prepared to say that it was on any evidence that the introduction of those clauses in the Liverpool Bill had worked any evil at Birkenhead.

351. If you could have conformity of police regulation, you would save the mischiefs frequently arising to places in the vicinity of a town which is under peculiar rules and regulations?—I began my evidence on this subject by stating, that the public Bill which was intended to apply over the whole of England, was felt as an abridgment of the enjoyments of the people generally, and The House would not tolerate it; the evidence was not strong enough to lead to a general Bill, but it was sufficiently so for Liverpool, and may be so as to Birkenhead, and it prevails in London too.

352. *Chairman.*] (To Mr. *Hayward.*) How long have you been connected with Parliamentary business?—Twenty-two years.

353. What is your general opinion as to the alteration of preambles by Committees?—I never heard a doubt suggested till the present Session; when I have been asked, What is the practice of Parliament? my answer has been this: "You may alter a Bill in Committee from the 'whereas,' in the first page, to the last word at the end of the Bill."

354. Of course including the preamble?—Yes, and all the clauses.

355. Do you agree with Mr. Burke in his opinions as to the inexpediency of giving Committees the power of extending preambles, and consequently giving larger powers to Bills than were originally contemplated?—Yes, I do; as to the preamble, allow me to say, it binds nobody; the clauses are the material parts of the Bill, and by giving the Committee power to alter the clauses, you give them a real power; whereas the preamble is next to nothing, it is merely an introduction to the Bill.

356. Do you consider the preamble as a summary of the objects of the Bill, by which parties may be guided in their mode of proceeding?—It is rather a reference to the subjects than a summary of what the Bill is.

357. Do you think, looking at it with respect to the public advantage generally, it would be advantageous to encourage the shortening of preambles?—I do not see the use of it at all, the clauses being the important part of the Bill.

358. If it be a summary of the clauses, or the substance of those which are to be enacted, it is rather advantageous that that substance should be all fairly stated, so that the public may at one glance see what is in them?—I gave it as my opinion that it was not a summary but a general reference, and I see no advantage in going fully into the contents of the Bill in the preamble.

359. Do you think it is desirable to have any preamble?—No; I have frequently said, when I have had a difficult Bill to settle, that I should prefer a Bill without any preamble at all, by which I mean a preamble as short as possible.

360. Do you recollect any instances in which either a public or a private Bill has passed without a preamble?—I have heard of public Bills being passed without a preamble, but I do not recollect hearing of a private Bill.

361. Is there any thing in the present Standing Orders of The House, or in the practice of The House, which necessitates a preamble?—I am not aware of any thing.

362. You consider a preamble as a mere optional introduction to the Bill?—It is customary.

363. Whether it should advert to all the objects of the Bill fully, or advert to them in the most cursory manner, you consider not to be of importance?—It would be difficult to advert fully to all the objects of a Bill; what are the objects of a Railway Bill? it consists of an immense number of powers, many of which may be considered separate objects, all, it is true, having reference to the making of a railway.

364. In every Railway Bill, to enable the formation of a railway originally, there is a main object, and there are provisions by which that main object is to be carried out?—Yes, certainly.

365. Those are the chief points of the Bill?—Yes.

366. Generally speaking, those are stated in the preamble?—There is a reference in the preamble to the expediency of making a railway from A. to B.

367. Do not you put in a statement that the traffic between such and such places will be increased, and so on?—Sometimes; but my practice has been to cut

cut down preambles as much as possible, for this reason; that statement involves proof; the evidence you would be obliged to give in support of the principle of the Bill may be pretty much the same, but you are not obliged to go into specific allegations; you may be stating what, at first sight, appears to be a good reason in favour of the Bill, but it may turn out not to be so; yet, having inserted it, you are bound to prove it.

368. Therefore your advice to your clients is not to enlarge the preamble more than is necessary?—Yes; it has been so for years.

369. And your opinion is, that any restrictive rule upon Committees, preventing their altering the preamble, would make that still more necessary?—It would oblige me and my friend Mr. Burke, and all of us, to exert our utmost ingenuity to frame a preamble which could not be touched.

370. A preamble, in short, which told nothing?—Yes, precisely so; I am satisfied of that.

371. Have you any doubt that your ingenuity in evading the rule would be greater than ours in laying it down?—My ingenuity is nothing as compared with that of The House.

372. Practically speaking, do you think it would be possible to lay down any rule enforcing such a preamble as would give a full knowledge of the objects of the Bill?—I think it would be practically impossible, and quite useless if it were practicable.

373. You heard the questions which were put to Mr. Burke as to the desirableness of reporting alterations, and the reasons for such alterations, where any are made; does your opinion coincide with his?—Generally; and I may add further, that I consider the Breviate gives more information than the Report, because it circulates among the Members, which the Report does not; the Report is a mere formal document, which, technically speaking, lies upon the table, and nobody ever sees it.

374. As to the reasons, they are not inserted in the Breviate; do you think there would be any objection to their being stated in the special Report?—No, I think not.

375. In certain cases it might act as a check upon improper alteration, but could never produce any serious inconvenience?—No.

376. Supposing the Breviate called the attention of Members to the fact of the alteration being made, the reasons contained in that Report, which would lie upon the table of The House, could be referred to?—Yes.

377. Can you state, from your recollection or otherwise, any instances of alterations of preambles by Committees upon Bills within the last four or five years?—In 1842 I had not less than 10 in my own office which were altered.

378. Will you give the Committee the titles of the Bills; were they carried into effect eventually?—Yes, all of them; the Weston-super-Mare Improvement and Market Bill is one instance [*producing the same*]; this is an instance of a short preamble. In this case, the words, "and the neighbourhood thereof," were struck out.

379. The preamble originally ran thus; "Whereas it is expedient that powers should be granted for better paving, lighting, watching, cleansing, draining, and otherwise improving the streets, lanes, public passages and places within the town of Weston-super-Mare, and the neighbourhood thereof." In the Committee those last words were struck out?—Yes, the people in the neighbourhood objected, and the Bill was confined to the town.

380. Did your notices extend to the neighbourhood?—Yes.

381. What did you mean by "neighbourhood" there?—We did not know; we gave a notice which was to be sufficiently extensive to comprise any distance which the inhabitants generally might choose to fix on.

382. There must have been some limits?—It was never intended to extend beyond the parish.

383. Was that an opposed Bill?—There was no actual opposition, but there would have been if we had not struck out those words.

384. Where was the alteration made?—In the Committee upon the Bill.

385. It was not an opposed Bill, and consequently before the Chairman of Ways and Means?—Yes.

386. Will you take another Bill?—The next is the Cottenham Drainage Bill. [*Producing the same.*]

387. Were there any essential alterations in that Bill?—I think the Committee will

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will see there were some important ones; there is an alteration from 500 to 600 acres, and 2,340 instead of 2,700.

388. Was that in the last Session?—Yes; 1842.

389. Without going into particulars, it is clear that the alterations in this preamble were very extensive?—Doubtless they were.

390. And in fact, far more so than some of those which have been objected to in the present Session?—Decidedly.

391. Was this an opposed Bill?—I think not.

392. The alterations were made in the Committee, which was held by the Chairman of Ways and Means?—Yes.

393. Will you take another instance?—The Severn Navigation; that was an opposed Bill.

394. Serious alterations were made there?—They completely involve one of the great principles under discussion, the shortening the work.

395. In the year 1841 that Bill was contested in Committee, and the result was, that after hearing the evidence and the discussion, there was an alteration made by which the works were reduced in point of extent, very considerably?—Yes.

396. That Bill was reported to The House?—Yes.

397. In 1842 a Bill was brought in, in conformity with the alterations made by the Committee upon the Bill in the preceding Session?—Yes.

398. As far as precedent goes, that case of 1841 is a strong one of diminishing in Committee the general objects of the Bill?—It is.

399. Have you any other instance to adduce?—Here is the Market Harborough and Brampton Road Bill [*producing the same*], in which there was considerable addition made to the preamble by way of explanation.

400. After reciting that "it has been found that the repeal of certain of the provisions of the said Act passed in the first year of the reign of his Majesty King George the Fourth is injurious to the public," these words are added: "inasmuch as they are thereby subjected to the payment of an excessive toll for travelling on that part of the said road which lies between the town of Market Harborough and Saint Mary's Bridge, in the parish of Great Bowden, in the county of Leicester, and which is less than half a mile?"—Yes.

401. Was this an opposed Bill?—Not at all.

402. It was passed by the Chairman of Ways and Means?—Yes.

403. In the year 1842?—Yes; and, if my recollection serves me right, that amendment was made at the suggestion of a noble Lord in the other House.

404. That was more in accordance with the fact?—It was precisely so; it was altered on that account.

405. It was in favour of the public as against the promoters of the Bill?—It made no alteration in the effect of the Bill; the clauses were the same.

406. It explained the objects of the Bill better?—Yes; it gave a reason for a subsequent clause, which departed a little from the usual practice in Bills of that kind.

407. Have you any other instance to produce?—The Indemnity Mutual Assurance Bill [*producing the same*].

408. The alterations there appear to be unimportant alterations?—Yes; still an alteration was made.

409. That was before the Chairman of Ways and Means?—Yes; the next case I have is the Manchester Infirmary Bill [*producing the same*].

410. There appears to be an extensive omission here, by striking out the names of trustees incorporated?—Yes.

411. Was this Bill opposed at all?—No; then here is the Windsor Bridge Bill [*producing the same*].

412. The first alteration in this Bill is correcting a misstatement as to the year in which another Act is passed; then there is another alteration, instead of "Trustees appointed by the said Act," putting in "the corporation of the borough"?—The corporation of the borough were the trustees, but it was thought proper to describe who the trustees were; the mayor and corporation of the borough were in fact the trustees.

413. Should any case arise hereafter to throw doubt upon that, here you do admit the fact?—Yes.

414. Was that opposed?—No; here is the Stourbridge Roads Bill [*producing the same*].

415. "A deviation

415. "A deviation from one of the present lines of road;" those words are struck out?—That part of the Bill was given up.

416. That might have an important bearing upon the objects of the Bill?—Yes.

417. Was that opposed?—Yes, it was; then here is an Inclosure Bill [*producing the same*].

418. The names of proprietors here are struck out?—The nature of the alteration shows that there is nothing important, because whether their names are in or out is utterly immaterial; I can tell the Committee why they were struck out; in the other House of Parliament, the Committee always looks to the Consent Bills to see that every individual named in the Bill has signed it; if, therefore, there be any individual named among the proprietors, who has not signed the Consent Bill, we uniformly strike his name out, because it does not signify to his interests whether his name is in or not.

419. The names are struck out?—Yes, and I have done the same often.

420. Have you several more instances?—I could instance a great many in other Sessions.

421. Mr. *Greene*.] In the present Session of Parliament, were you not agent for the Deptford Poor and Improvement Bill?—Yes, I was.

422. The alterations in the preamble of that Bill were considerable, were they not?—Yes, and in the clauses.

423. And important?—Yes.

424. In point of fact, the preamble recites, that it is important to repeal and alter certain Acts, in order to prevent the burden of two establishments for one parish for the support and management of its poor; was not that one of the original recitals of the Bill which was struck out?—Yes; the whole of those alterations, I may mention, were made at the instance of an opponent; that was an opposed Bill; those clauses were extremely important ones; and I may mention a curious fact arising out of that, which is, that the very opponent who got those clauses put in, when they were in, petitioned the House of Lords upon the Standing Orders, on the ground that his own clauses were not conformable to the Standing Orders.

425. What was the effect of that petition?—It produced no effect beyond some delay.

426. Though that was the act of an opponent, might not there be other parties who might be affected by such an alteration?—No, I think not; the Bill had been canvassed in the place, and the opponents of the measure represented by the vestry clerk, came and suggested the alterations they thought necessary.

427. There might be other parties *bonâ fide* promoting the Bill, not those before the Committee, but others in the parish, who might say, "Our consent to this Bill was given in consequence of the purpose of it being to repeal the Act, whereby there were two establishments in the parish for the support of the poor; you are throwing upon us an expense which we only concurred in, in order to get rid of such a system"?—That might be said; that would not apply to the preamble; all those alterations apply to the clauses.

428. You set forth upon the face of the Bill what you are going to do?—That is true, you do generally, but nobody in reading the Bill stops when he has read the preamble.——(Mr. *Burke*.) I have just been opposing a Bill, the Inchbelly Road Bill; that was brought in for the purpose of continuing certain Acts; in the House of Commons certain parties in the town of Glasgow opposed the Bill with the view of getting a certain toll-gate removed out of the town; they succeeded in their opposition; the toll-gate was ordered to be removed, by vote of the Committee, 300 or 400 yards out of the town; the promoters of the Bill thereupon immediately alter it so as to make their trust terminate at the point where the toll-gate is removed to, and the 300 or 400 yards thus become a burden to the parish to maintain; the parish opposed the alteration, but there was nothing in the preamble about it; it entirely arose upon the clause; the evil suggested there would arise upon the clause as readily as upon the preamble.

429. *Chairman*.] (To Mr. *Burke*.) The Committee are desirous of calling your attention to a practice which seems to be a growing practice, and is an inconvenient one, of not introducing certain amendments in the Committee on the Bill, but either by verbal or other alterations, or by the insertion of additional clauses, calling upon The House to make an alteration upon the report on the third

third reading; are you aware of such a practice being prevalent?—It is prevalent to a certain extent.

430. From your experience, do not you think in most cases a certain degree of attention and care might obviate the necessity of those alterations?—I think, generally, we endeavour to obviate the necessity of them, as far as agents are concerned; we regret when those alterations become necessary; but you cannot avoid this, that in the interval between the sitting of the Committee and the passing of the Bill some new matter may arise which parties are desirous of introducing, and these may be by verbal amendments or by the introduction of new clauses; I think new clauses are rare, especially those which have any effect upon the public; but sometimes amendments are suggested which we cannot prevent our clients being desirous to introduce; as far as my experience goes, the general practice of agents is to discountenance the system, as far as they can.

431. You find it difficult to induce clients not to press such alterations upon you?—Very often; and many times we ourselves feel the alterations are desirable.

432. In that case, how is it that they are not brought forward before the Committee upon the Bill?—Frequently, from the anxiety that persons have to pass the Bill, and the anxiety on all sides to close the inquiry, clauses are inserted towards the end of the proceedings with very little discussion, and imperfectly understood at the moment, or clauses are hastily tendered by opponents; the Committee-room is cleared; the Committee divide upon them, and pass them; and when the agents come to consider these clauses, they find that some amendments are absolutely essential; we cannot always guard against that.

433. Might you not guard against it by proposing an adjournment of the Committee?—That would be disagreeable to Members frequently, and the parties are anxious to get on with their Bills; the expenses would also be increased by meeting again.

434. The Committee wish to call your attention to a class of clauses which must be almost always known beforehand, and as to which there would be no difficulty apparently in their regular introduction before the Committee on the Bill; those clauses which are introduced at the express injunction, or by the earnest desire of public departments; clauses, for instance, saving the rights of the Crown; clauses saving the rights of the Admiralty; and other clauses of that nature; what objection is there to their being introduced in Committee?—I see no objection at all, if they are tendered, but they emanate from particular offices; of course, until they are sent by those offices, and a desire for their introduction expressed, the agent is not justified in putting in the clauses of his own accord; as to the interests of the Crown, it may happen that the Crown will wait, before expressing any opinion at all, till the Committee have reported that the Bill is a proper Bill; we cannot always be sure of the circumstances.

435. Your attention is called to a Bill in which there was a great deal of discussion, the Peterborough Railway Bill; up to the last moment you were not aware what the decision of the Duchy of Lancaster would be upon the Bill; but you were aware that there were certain clauses without which the acquiescence of The Queen could not be given; what was the objection to introducing in the Committee upon the Bill those clauses which were subsequently introduced upon the Report?—I did not know that those clauses were essential to be introduced on behalf of the Duchy of Lancaster, or that they were desired to be so introduced.

436. Essential is one thing; but were not you perfectly aware that there was no chance of the acquiescence of The Queen being given to the Bill, the absence of which acquiescence would have been fatal, without the introduction of that class of clauses?—No: I confess I do not look on it in that light; the introduction of clauses where they are desired generally emanates from the public office to which application is made. In the case to which your Lordship alludes, a memorial was made in the usual manner, to the Duchy of Lancaster Office, that the attention of the Crown might be drawn to the passing of the Bill, and if the Solicitor for that office had desired me to insert those clauses, I should have inserted them; but in the mean time, provided I make proper application to the Crown, I do not, unless those clauses are tendered, consider that they are essential to be inserted.

437. Might not clauses of protection on behalf of the Crown, which are almost invariably introduced under such circumstances, sometimes be advantageous or disadvantageous to individuals?—No, I think not; those clauses have relation to dealings generally with the Crown alone, not with third parties; in the particular

case

case to which your Lordship has alluded, three or four clauses were inserted on the third reading; but The Speaker did not require those clauses to be printed, considering that they did not affect the interests of the public in any manner.

438. The interests of the lessees might be affected?—No, I think not.

439. Does it not sometimes happen that there are clauses affirming certain rights on the part of the Crown which may be inconvenient to individuals?—They do not immediately occur to me.

440. Were you connected with the Piel Harbour Bill?—No.——(Mr. *Hayward.*) I was the agent for the Bill.

441. (To Mr. *Hayward.*) Do you remember any portion of that Bill in which the rights of The Queen were asserted in such a manner as not to injure, perhaps, but to prejudice the rights of other parties?—I have an impression it was so, but the Bill was principally in the hands of my partner, and I should not wish to state any thing positively.

442. (To Mr. *Burke.*) The assent of the Crown is given generally at a late period of the Bill?—On the third reading in the House of Commons.

443. Consequently, those clauses might as well be introduced in Committee *de bene esse*, as not?—It would be more convenient to introduce them in Committee, but such clauses must of course emanate from offices of the Crown.

444. Supposing a Standing Order was made, that all clauses of this kind should be introduced in Committee; would there be any practical inconvenience in that?—The practical inconvenience of compelling us to get those clauses from boards or offices over which we can have no control. We could not go on with our Bill; I should have to attend constantly upon those offices to procure the clauses, and could not compel their production at a certain time.

445. The thing at present is open, and consequently public departments may be idle in producing those clauses; but supposing it was laid down as a necessary rule of The House, that those clauses shall be introduced in Committee; do not you think, whatever the eventual determination of those boards might be as to the Bill itself, you would be able to procure such clauses in proper time if they meant to insert them?—I could not answer for that.

446. Do not you think, practically, that public departments would not be so dilatory as not to give you those clauses in time, whatever they might determine as to the Bill itself?—I should imagine they would not always. I confess, as an agent having charge of a Bill, especially an opposed Bill, I should be jealous of a power being given by a Standing Order, requiring me to procure clauses from parties over whom I could have no control; I should think it the duty of those persons to attend to their own interests.

447. Put it the other way: supposing it advantageous to you that no such clauses should be introduced—a rule that such introduction should not be permitted after the Committee on the Bill, would throw the onus on the public departments?—I should still feel the operation of that: supposing the Crown, with the power it possesses, were to state on the third reading that the Bill ought not to pass without such clauses being introduced, it would manifestly jeopardize the whole Bill; those clauses are sometimes put in in the House of Lords at the very last stage of the Bill.

448. The Committee are anxious not to put promoters of Bills in a worse situation, but to enforce upon the heads of public departments putting forward their views at a convenient time; how could that be accomplished?—The difficulty I see is this, in framing a Standing Order which shall have any effect upon parties not before Parliament at the time; it is obvious that if the effect of that Standing Order required me to secure the production of clauses from Government offices, I could not by means of that compel them to give me those clauses at any particular period, and, therefore, I think that such a Standing Order might hamper the proceedings on the Bill, and at the same time might not be effectual against such public offices.

449. The Admiralty often interfere with Bills, do they not?—Yes; and Mr. Dorington almost invariably sends us for them some short clauses; we get them with a note requesting that they may be inserted in Committee; the Stamp Office act in the same manner.

450. Do you go so far as to give notice to different departments when a Bill is going into Committee?—Yes; Mr. Dorington does it; he is the agent for those public offices; and when a Bill is introduced, we supply him with some half dozen or dozen copies of the Bill for him to send round; and we also are obliged

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obliged to send to the Board of Trade; if there is a Bill obviously relating to the Admiralty, such as a Harbour Bill, I always send them a copy myself also.

451. There is no regulation requiring agents to give such notice?—No.

452. And, therefore, regularly speaking, public departments are not aware when a Bill is going into Committee?—No.

453. You give seven days' notice of a Committee?—Yes.

454. (To Mr. *Hayward.*) Have you attended to this matter?—Yes.

455. Are your opinions in accordance with those of Mr. Burke?—Yes.

456. Have you contemplated the possibility of something like a check upon the amendments made after the Committee on the Bill; in what way do you think there should be a safeguard against improper amendments being introduced in a future stage?—(Mr. *Burke.*) The best mode seems a reference to Mr. Booth.

457. The case supposed is this: the Committee on the Bill hear the evidence, they arrange the clauses, they either put in or leave out words, but they leave the Bill in a certain condition, causing certain parties to be taxed, and certain parties not; the Bill is brought into the House of Commons; notice is given that a certain word will be omitted or inserted, the effect of which is to alter the Bill as it comes from Committee; but, at the same time, it may be merely a word to make sense of that which was before imperfect sense; the propriety or impropriety of that ought not to be left to an officer of The House; from your experience, in what way should you say that such an evil might be guarded against, without interfering with the power of individual Members to propose an amendment, or with the general proceedings of a Bill, which may, perhaps, by some accident, be incorrectly worded in the Committee?—In proposing a reference to Mr Booth, my answer was to this extent: I look upon The Speaker as the party giving the ultimate authority; but it appeared to me that before he expressed an opinion he might refer the matter to Mr. Booth; Mr Booth might make his report to The Speaker as to the effect of the proposed alteration; if it were an alteration of an important nature, The Speaker might then require the Bill to be re-committed.

458. The Speaker would not wish to have left to him the decision upon such a case as that supposed, namely, a considerable alteration of the general powers of a Bill, by the omission or insertion of certain words; do you think that, by a reference to such a Committee as the Standing Orders' Committee, there might be some safeguard to the public and to individuals as to the effect of such interpolations?—I think the only tribunal who could more properly judge of such a matter than The Speaker would be the Committee before whom the Bill originally went; because the Standing Orders Committee could not possibly judge of the propriety of an alteration better than The Speaker.

459. Could not they judge of this—whether the effect of the amendment was such that it ought to be referred back to the Committee upon the Bill?—There, I should have thought, that Mr. Booth's Report to The Speaker would have had precisely the same effect; he would see, with his legal knowledge, the effect of the amendment upon the scope of the Bill.

460. Are you not aware that there is a constitutional objection to that, that the decision of The House should not be influenced by the Report of an officer?—I mean, that he being counsel to The Speaker, the case should be referred to him; and on his report to The Speaker, then The Speaker would exercise his judgment as to whether the alteration was of a nature to render it needful that it should be referred back to a Committee or not.

461. And that then The Speaker should report that opinion to The House?—Yes, or to the agent.

462. Looking to the way in which it must be done, authoritatively, might not The Speaker say, "I will not permit this;" and on the other hand, the agent say, "I will get it carried through by a vote of The House;" do you think that The Speaker, acting under the advice of Mr. Booth, might report to The House, that such and such an amendment is of a nature that ought to be referred back to the Committee to consider; is that your view?—I think the first step we should take would be to lay the amendment, as we do now, before The Speaker; that, as a matter of course, it should be sent to Mr. Booth to investigate the same, as he does in framing the Breviate of a Bill; that upon Mr. Booth's report, The Speaker should exercise his judgment whether the amendment might be introduced in the House, or whether, previously to its being so, it should be referred to a Committee,

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a Committee, and upon his intimating that to us, we should hardly venture upon such a course as the one referred to, of endeavouring to compel its introduction by vote of the House against his will; nor would The Speaker allow of any amendment, of the propriety of which he had a doubt, without its being referred to the Committee.

463. Do you think that The Speaker should then make a communication to The House that such and such amendments in different Bills, reading them, might be permitted to go on, and that such and such others are of a character which ought to be referred back to a Committee to consider?—I see no objection to that.

464. You think that would be more desirable than putting the same power into the hands of the Standing Orders' Committee?—I do; in the first place, it would be giving very considerable trouble to the Standing Orders' Committee; they are matters which would require often very considerable investigation; Mr. Booth being a person legally educated, and knowing the contents of all these Bills, would get through the work more quickly, and he is also in the proper situation to do so, by advising with The Speaker.

465. You think there would be a disposition, on the part of parties generally out of doors, to bow to those opinions thus expressed by The Speaker, under the advice of Mr. Booth, and that the proceeding would work well?—I think so; I have always felt that there is a considerable burthen thrown upon The Speaker in the investigation of these amendments, because it involves, or is supposed to do so, his reading the Bill to understand what the amendments are; and therefore it appears to me that some relief is absolutely necessary; I do not know any mode of relief so perfect as that of a reference to the counsel of The Speaker, who is there on the spot, and who has the greatest experience of those matters of any one.

466. Mr. *Ewart.*] Is there any order requiring a corresponding reference to be made in the House of Lords to the counsel?—No; the business in the House of Lords is hardly done by any fixed rules or Standing Orders, so much as by a kind of common law and acknowledged practice, which has obtained there, and under which we are in constant communication with Lord Shaftesbury; in cases of amendments in the House of Lords, they would go at once to Lord Shaftesbury; if he had time, he would read them himself; if not, Mr. Palk would do so, and then, upon that, I should get my right to make them or not. ——(Mr. *Hayward.*) Both Lord Shaftesbury and Mr. Palk generally examine them.

466*. *Chairman.*] There is no analogy between the two cases?—(Mr. *Burke.*) Not the least; it is in the House of Lords, in fact, that the surveillance of Bills is carried on; there they are narrowly investigated.

467. About such amendments as those which are now referred to, the Chairman of Committees in the House of Lords could express no opinion; here is the policy of a particular measure involved; what you go to him about are general principles or general enactments?—Of course Lord Shaftesbury could exercise no jurisdiction over the proceedings of Committees of this House.

468. Do you think upon the whole, that The Speaker would have sufficient time to investigate personally such matters as these, considering the great number of amendments which are constantly being made in Bills?—Certainly not, with convenience to himself; but I think I may assume, that putting confidence in Mr. Booth, The Speaker would take his report, generally speaking.

469. Mr. Booth, from making the Breviate, must know the outline of the Bill?—Yes.

470. The Speaker could discover what the bearing of the amendment was?—Yes.

471. The only point of difficulty or doubt would be, to what extent he might be inclined to recommend that it should go on without reference to the Committee, or that the Committee should re-assemble?—Yes; there always must be some little difficulty in the question, on account of the constitutional power which any Member would have of moving an amendment.

472. (To Mr. *Hayward.*) Have you any thing to add to what Mr. Burke has said?—Nothing further than this, that it seems to me it might be safely left to The Speaker to arrange with his counsel on the subject; and if he thought proper, then to refer the matter to the Chairman of the Committee upon the Bill, and any other two Members; one selected Member, perhaps, and one other. I am throwing that out as a mode by which the matter might be more easily con-

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sidered; as to calling the whole Committee together again, there would often be great difficulty in that.

473. To Mr. *Burke.*] Has it ever occurred to you to consider any means which would prevent delay in a Committee sitting; any mode by which you could call upon Committees to sit at an earlier period than they are now called together?—Those periods have been limited by the Standing Orders, under the notion that some interval was necessary to enable parties to arrange their opposition; that there should be due notice of what was going on.

474. From your experience of the attendance of selected Members, do you find it more difficult to secure that attendance at certain periods than at others?—Certainly, towards the close of the Session it is much more difficult. At this moment, we have the Liverpool Fire Prevention Bill in progress; the Committee met there three days before they could proceed, from the absence of selected Members.

475. That Bill is one arising out of particular circumstances, and which, therefore, might be considered apart from the usual course of private Bills?—It was introduced at an early period of the Session; it was then stopped, and again re-introduced.

476. There was some peculiarity of circumstances, was not there, which led to that measure; and but for which it would not have been introduced, but for the circumstance of the late calamitous fires?—Probably not; the difficulty was, that we could not get three selected Members together on a particular day, and I think we lost two days' sitting, with all the expenses of counsel and witnesses, being unable to get a Committee.

477. Mr. *Greene.*] Has any thing occurred to you respecting compelling the attendance of selected Members?—It has occurred to me; but I felt that it would be an obnoxious rule to lay down; I think they do attend very fairly; these inconveniences may arise occasionally, but they are the exceptions, and not the rule.

478. Do not you find great difficulty, particularly towards the latter part of the Session, in cases of re-committed Bills?—Then, I think, the rule should be relaxed, which requires the same selected Members to sit.

479. You think there would be no objection to re-committing a Bill to a fresh Committee?—To the same Committee, without requiring a quorum to attend; I would require notice to be given to the selected Members, and if they did not attend, I think the Bill should go on without.

480. Do you see any difficulty in adding fresh selected Members, so that the same Members locally interested might attend; in fact, committing a Bill to The Speaker's List with another set of selected Members?—On a re-committal, you suppose a knowledge in the numbers of what has been done before, and, therefore, new Members will come with an imperfect knowledge, and they would not be so competent to judge of the circumstances; I should prefer that the re-committal should be to the same Committee, allowing five Members to be a quorum, whether selected or not, and not require them to be the same persons who signed the declaration, provided they were on The Speaker's List.

481. To enable a fair consideration of an amendment by The Speaker and his adviser, would it not be desirable to give further notice than is now given?—We give one days' notice now; probably there might be some little longer notice desirable in that case.

482. Might you not give more notice than you now do without inconvenience?—I think we might.

483. Looking at it as a case of parties coming for a favour to The House, that amendments permitted on the report or the third reading are not in the regular course, but concessions on the part of The House for a particular reason assigned, and not in exact conformity with the general rules; might it not be expected that a little more trouble and delay should be experienced on the part of agents?—We do not give the notice till the amendment has been agreed to by The Speaker. The Speaker takes his own time to consider, and then, when approved of, we give notice of it.

484. If you make a rule upon the subject, you must make it so perfect that it cannot be misinterpreted, and cannot be contravened; and, therefore, there should be a regular notice given both before and after the decision?—We cannot tell what the amendment will be till it is approved of by The Speaker; the mode we adopt is this: we take a Bill and write upon it the amendment which is proposed,

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posed, and leave it with The Speaker's secretary; and then, when he and The Speaker have had time to consider it, they tell us whether they will have it in that form, or in an altered form; and then it is sent to the Private Bill Office in the manner in which The Speaker consents to its being passed; and then we give our notice to the Private Bill Office, that that amendment will be adopted; we only give a notice of one day.

485. Mr. *Greene.*] In point of fact, now, The Speaker points out to you his wish that certain amendments should be adopted?—Yes; I have a Bill at this moment, the Liverpool Dock Bill; the Board of Trade have brought in a public Bill, and they have made me alter the private Bill materially, not in substance, but in form; and those amendments will be made on the third reading of the Bill by the authority of the Board of Trade, and The Speaker agrees to them.

486. As to the payment of the House of Commons' fees, is there any regulation by which they are checked?—Any body may see what the fees are.

487. But there is no actual mode by which they are checked, no document by which it is shown that those which have been received are correct; there is no such taxing power as that?—We investigate the fees; the fees are sent in to us, and we object to them if we see that they are wrong; we go to Mr. Dorington, and if he sees that they are wrong, he himself, will alter them; if we are at issue, we go to Mr. Speaker about it.

488. You are not furnished with any document with which you can furnish your clients, to show that those fees are correct fees, and those which have been paid?—(Mr. *Hayward.*) We are furnished with an account in a book, under different heads: the Bill fee, so much; the Private Bill Office fees, so much; Committee fees, so much; Ingrossing fees, so much; Door-keepers, so much; each office has its fees arranged under different heads, and those are given to us in a book by Mr. Dorington.

489. In each case?—In every case separately; the fees of each office are given under a separate head; the fees of the House of Commons were never kept with such regularity as they have been since there has been an accountant; each department hands in to the accountant from day to day the proceedings on every Bill, and they are checked without any difficulty.

490. Sir *J. Y. Buller.*] Do you furnish your country agent with the same detail with which you are furnished from the office?—Yes, the identical figures; I could show the Committee in five minutes my books for years, in which every figure will be found to correspond with the books furnished by Mr. Dorington.

491. Beyond that, what use he may make of it you do not know; you have no control over him?—No, not the least.

492. *Chairman.*] Take the case of the Liverpool Dock Bill; a paper drawn up something in the form you have referred to would be put into your hands properly filled up?—Yes.

493. Does Mr. Dorington sign the document?—When we pay the amount.

494. Does he take back the document, or leave it with you?—It is left with us.

495. Is there any counter-check signed by you?—Never; Mr. Wilkinson has an account in most minute detail.

496. It is not a separate account for each individual Bill with which you are furnished, but you have an account for six or seven different Bills all in one document?—Yes; but I separate the different Bills.

497. Still it is all one document?—Yes, it is all one document.

498. If an agent has 50 or 60 Bills, they are all put in the same book?—Yes.

499. An account is not sent in to you as to each particular Bill, but each particular agent has his own account between himself and the Fee Office, which is inserted in a book, and paid by the agent collectively?—(Mr. *Burke.*) Yes. ——(Mr. *Hayward.*) In the House of Lords it is precisely the same; the different offices send in their accounts, under different heads, in the same way.——(Mr. *Burke.*) The way we make out our accounts is this: we make out our professional charges, and then at the end we put the fees of The House, and the Ingrossing Office and others, under different heads, which is a copy of the book sent in by Mr. Dorington.

500. (To Mr. *Hayward.*) Have you any objections to make to the Standing Orders of last year?—I have some difficulty in answering that question; I think I have none that I can offer in addition to those I made last session.

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501. Assuming our decision of last year was a correct one, you have nothing to offer?—No; I do not recollect any thing.

502. (To Mr. *Burke*.) Have you any observations to offer?—There is one; I forget whether the question I now allude to was under the notice of the Committee of last year; it is this: the Standing Orders state, that in all cases of public works you must have a contract; but then they go on to provide, that in any case where the parties applying for a Bill intend to raise money on the security of surplus revenue which is under their control, they may deposit a declaration to that effect; but with reference to railways, there is a subsequent Standing Order, namely, that no railway company shall borrow on mortgage more than one-third of their capital; I will show the operation of that by a Bill of the present Session, the Peterborough Railway Bill; the London and Birmingham Railway Company have a surplus revenue of half a million of money; they came to Parliament for leave to make this railway at a cost of half a million, but they have borrowed one-third of their capital on mortgage, and they are not therefore entitled to take advantage of the Standing Order, which would enable any company but a railway company to raise their additional capital by mortgage of their surplus revenue, but they must have a new subscription contract for new shares; that contract, to be a fair one, would require that every shareholder in the London and Birmingham Company should sign it to be entitled to his propotion of the new shares; no other mode could be devised to get out of that difficulty, except by making a contract on the face of it nonsense; the contract was this: it in the first instance bound a certain number of parties (who were any body) to the payment of subscriptions to the amount of half a million, with a condition attached, that immediately on the passing of the Act they should assign the whole of their shares back to the company to be distributed.

503. What do you mean by surplus revenue?—Revenue divisible as profit among their proprietary.

504. Does the 500,000*l.* represent that amount, paying dividends upon the shares?—Yes.

505. Supposing the shareholders do not receive one sixpence of dividend, there is 500,000*l.* applicable to some purpose or other?—Yes.

506. Therefore it is not the surplus after paying the dividends?—No.

507. After paying the demands upon them for making the road, and for the money borrowed, they have 500,000*l.* to dispose of as dividend, or in any other way?—I assume that sum; I know it is a very large sum.

508. What would you propose?—That that Standing Order applicable to railways should be repealed; it is not in existence as to any other company; if I had come to Parliament for a Bill for a Canal Company, I should have been able to take advantage of the surplus revenue; I will show its operation as regards a company where the shares are at a discount; two or three years ago the North Midland Company came to Parliament for an extension of their line, their shares being at 50 per cent. discount; they had, nevertheless, a surplus revenue of 5,000*l.* a year divisible among the shareholders; that 5,000*l.* a year would have enabled them to borrow 100,000*l.* for their objects—(I am assuming the figures here) but under the Standing Order they were obliged to raise new shares; having borrowed one-third of their capital, they had to raise the 100,000*l.* by the issue of new shares at a discount of 50 per cent., being so much total loss to the company and the public also, by increasing the nominal cost of the railway.

509. Do you think that the Standing Order, the effect of which is to compel companies to deposit 10 per cent. as to railroads is evaded?—I am sure it is, in nine cases out of ten.

510. In the case of the Birmingham Company, it was not evaded, because 10 per cent. in one way or other was deposited?—No, so far as the deposit by the company was concerned.

511. Suppose a fresh company started, would that Standing Order be likely to be evaded?—No doubt; but the cases of fresh companies have been extremely rare of late years.

512. In point of fact, the object of the Standing Order is not to prevent great companies which have capital undertaking measures of that sort, but to promote such measures, by companies having *bonâ fide* means?—I think the Standing Order is no practical security whatever to Parliament; I think also it is prejudicial

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judicial in another respect; I am satisfied it prevents real capitalists from investing their means in those undertakings, and drives them to insert in contracts the names of other parties who are not subscribers *bonâ fide*; I opposed a Bill in this session, brought in, in that manner, as I believed; I was told distinctly, and I had no moral doubt, nor had any body connected with the opposition, that nine-tenths of the parties signing the deed in that case were not worth as many pence as they had put down their names for pounds; I procured summonses for the attendance of those parties, and sought to cross-examine them, but the objection was taken, and fairly taken, I think, to this effect; "it is proved that these parties have paid into the banker's hands 10*l.* for their subscription of 100*l.*, and you cannot ask them whether it is their own money or not."

513. Do not you get some security; if Messrs. So-and-so, bankers, will lend a man a thousand pounds, is not that a certain amount of guarantee that the individual to whom the sum is lent is a man of substance?—They never lend it to the individual: the mode is this, they give him a nominal credit at the bank; it amounts to no more than what is attained by the Standing Order requiring that 10 per cent. should be lodged in the bank, and that a certificate should be brought of its being so lodged.

514. Is not there this advantage still derived from it, that it prevents the speculation in shares which used to take place, of men not worth any thing subscribing their 100,000*l.*?—I do not think it has had that effect; speculation in shares since 1836 or 1837 has not been heard of at all, from other causes.

515. From your recollection of the transactions which took place in those years, you will admit that there was a great deal of gambling connected with the formation of pretended companies?—No doubt of it.

516. And that one mode by which that gambling was effected was by parties subscribing immense sums, and taking their chance how they could run up the shares, but never paying one farthing, nor having the means of doing so?—I think that may be done now just to the same extent.

517. At present the money must be deposited, or it is presumed that it must be so?—Credit is deposited.

518. Is not that a check upon a man of straw?—It is not a check upon a man of straw, if the money to be deposited is procured from other sources than his; no Bill I suppose even in those days was so bad, but that there was some party who had money or credit connected with it, and desirous of carrying it out.

519. Not a Bill actually carried, but brought in?—I suppose there are very few instances of a Bill, where some parties are not connected with it who have intercourse with monied people, and could procure money in such way as to comply with the Standing Orders; the deposit of money is really no risk at all; a man goes to his banker, and supposing half a dozen gentlemen are connected with a company, they go to their bankers, and say, if you will lend us 20,000*l.*, it shall be deposited in your own names as trustees while it is lent to us, and we will give you five per cent.

520. *Pro tanto*, that involves some monied person in the transaction?—That always is the case.

521. Is not it a check upon a man of straw to be obliged to go to a banker and borrow, even in the mode of doing so which you have mentioned?—The same check would be produced by a simple deposit of the sum; those individuals being required to pay up their 10 per cent., if the Standing Order be evaded, and the money deposited by others it is no protection; the actual deposit of 10 per cent. in the bank may be so far a protection; but my impression is, that if a more limited deposit by individuals on their subscriptions were required, it would be better; five per cent. for instance, instead of 10, would enable parties to comply *bonâ fide* with the Standing Order.

522. Do you think you could lay down any rule so stringent as to force parties to deposit the five per cent.?—No; I do not think we could go further than the rules now.

523. Then you would not get any thing by reducing it?—(Mr. *Hayward.*) You would get this: a great many respectable persons would be willing to be subscribers and pay five per cent. who will not pay 10; they say, here is a Bill, which is a good scheme apparently, but, for aught we know, the Bill may never be passed; they are unwilling to deposit 10 per cent. with the risk of the Bill not passing, but five per cent. they would not mind; the money goes

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now to America and France; people are all speculating in French railways to a great extent; but if a relaxation were made in the Standing Orders, I think they would prefer investing their money here.

524. You have no proposition to ensure the deposit of that five per cent.?—No; there obviously would not be the reluctance to deposit in that case which there is at present.

Jovis, 27° die Julii, 1843.

PRESENT:

Mr. Estcourt. | Sir Robert Ferguson.
Mr. Green. | Sir J. Y. Buller.

LORD GRANVILLE SOMERSET, IN THE CHAIR.

John Edward Dorington, Esq.; Examined.

J. E. Dorington, Esq.

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525. *Chairman.*] YOU are Clerk of the Fees of the House of Commons?—I am.

526. How long have you been in that situation?—I have been clerk of the fees since 1827.

527. Is the same system pursued now with regard to assessing the fees, as prevailed formerly?—No.

528. What was the former practice?—In each department they made up their own fees, according to the number of fees charged by the clerk of the fees; he looked at the bills and saw how many fees ought to be charged, and the fees were charged accordingly.

529. Was he a check upon the other officers?—He never saw their accounts.

530. What system is pursued now?—The whole of the fees are made up in the office of the clerk of the fees; returns are sent in from the different offices, and from them an account is kept.

530*. To whom are the fees paid?—To the clerk of the fees, by the different agents.

531. At what period of the progress of the Bills are they paid?—They are not paid till the Bills are passed; in fact, not till towards the end of the Session, except with regard to The House and engrossing fees; the mass of the fees are paid towards the end of the Session.

532. How soon is any fee assessable?—A fee is chargeable the moment a petition is presented.

533. There is a fee upon the presentation of a petition?—Yes.

534. What is the next thing charged?—It goes on continuously; whenever a proceeding takes place in The House a fee is chargeable, and on the various proceedings in Committee, fees are chargeable; the engrossing fees are chargeable on the third reading.

535. Those fees are not paid till towards an advanced period of the Session?—The fees we get in from persons who have not much business whenever we can; but the House fees and the engrossing fees are paid by the principal Parliamentary agents at Easter and Whitsuntide; they pay the amount of the fees which they may have incurred on Bills which have been passed up to that time; then towards the end of the Session they pay up the whole.

536. Do you think that this is a convenient mode?—I think it is.

537. They pay the fees on different Bills *en masse*?—Yes.

538. Supposing a Bill passed before Easter, would every fee connected with that Bill be paid up to that time?—No.

539. What portion of the fees would be paid?—The House fees and the engrossing fees, but not the Committee fees or the Private Bill Office fees; when the alteration of plan took place in the office, I pursued the same system which had been pursued before; the House fees and the engrossing fees I found had been paid at various periods of the Session; the Committee fees, and

Private

Private Bill Office fees, and the housekeeper's and the messengers' fees had not been paid till towards the end of the Session.

540. All those fees go into account?—Into one general account.

541. And no individual has any advantage from them?—No.

542. As to the engrossing fees, they are paid for the engrossment of every Bill?—Yes.

543. No Bill is engrossed except by the officer of the House?—No, they all pass through the Engrossing Office.

544. Those fees are, in fact, for labour done; that is, they are charged according to the number of letters or words in the Bill, or however they may be reckoned; the length of the Bill therefore determines the amount of those fees?—They are charged according to the length of the Bill; according to the number of presses.

545. Do not you think it would be desirable that whenever the Bills have passed through The House and have received the sanction of the Crown, the fees should be made out and paid by the agents at once?—If the Committee think so it can be done; the account is now made out in the office as soon as the Bill has passed, and the agents' books are made up every week.

546. What is your opinion; do not you think there would be an advantage in it?—I do not see any advantage that would result.

547. Would not this advantage result, that the accounts would be sent in without so much delay?—I think not; I think the accounts are sent in as quickly as possible.

548. Are there not certain Bills upon which double fees are paid?—Yes; almost all kinds of Bills.

549. Are there any upon which treble fees are paid?—Yes.

550. Take the case of the division of a large rectory into three small ones; what fees would be paid upon such a Bill?—Most likely it would be paid for only as a double Bill; it would depend very much upon the nature of the provisions contained in the Bill.

551. The mere fact of three rectories being formed out of one would not make it a treble Bill?—Not absolutely so.

552. Could such a Bill be a single Bill, in any case?—No; it would not be a single Bill unless only one person was the patron; in that case it might be a single Bill.

553. Do you recollect the case of the Wynwick Rectory Bill, passed a year or two since, the object of which was to divide an incumbency in Lancashire into five?—I do.

554. Can you state what fees were paid upon that Bill?—The total amount of fees paid upon that Bill in the House of Commons were 124 *l.*

555. That is the amount of the House of Commons fees?—Yes.

556. Have you any knowledge of what the fees of the House of Lords were?—The fees in the House of Lords amounted to 155*l.* 6*s.*; they would have been about 120 *l.*, but the Wynwick Bill was referred to the Judges, by which the fees were increased.

557. With respect to Bills conducted by a Parliamentary agent of much practice, you give him an account of the fees against him in a book?—Yes.

558. Including in that book, probably, the fees for 30 or 40 Bills?—Including the whole of his business.

559. Making no separate charge for each?—Yes; we make separate charges.

560. You do not give him a separate account of the different Bills; but you include all the charges for the different Bills in the same book?—The charges for each Bill are stated under different heads.

561. You set out in that book the fees for such and such a Turnpike Bill; for instance, House fees; Committee fees; Private Bill Office fees, and Engrossing?—Yes; and also the Housekeeper's and Messengers', and the Doorkeepers' fees.

562. Making six classes?—Yes, six classes of fees.

563. Have you a copy of that book?—I have a leaf showing the form.—[*The same was delivered in.*] See *appendix*.

564. Forty or fifty accounts may be kept in the same book?—Yes.

565. When an agent sends in an account to his clients he charges the fees *en masse*, according to what he has paid for each department?—I suppose that is the mode now; it used to be the custom.

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566. Do you think there would be much difficulty in sending from your department a regular charge under those heads, which should be receipted when the money was paid; so that the account of the fees in the House of Commons should appear as a separate item and a completely distinct part of the agent's bill, instead of being amalgamated with his general charges?—I see no difficulty at all in it; I believe they keep them distinct now; we certainly could have no difficulty in doing it.

567. The reason why these questions are put to you is, that there is a prevalent opinion in the country that the fees constitute the great expense of passing Bills; upon whether that be so or not, your opinion is not asked; but it appears that a greater amount is generally supposed to be contributed in the shape of fees than is really the fact; and it would be, therefore, something like an elucidation of that point if a separate account of the fees charged by The House were to be always produced by an agent?—We could have no difficulty in enabling the agent to do that; when a man has only one Bill he has an account given him in the form which I now produce—[*producing the same*, see *Appendix*].

568. With your signature at the bottom, this account would go in to the man's clients?—Yes, if he chooses to send it in; this—[*producing it*]—is the form of account for an opposition.

569. From your evidence it is clear that as far as the Fee Office is concerned, there would be no difficulty in every case in furnishing a document stating what the fees are, and that they have been properly and duly paid?—None at all.

570. When do you pay the fees over?—At different times; whenever there is a tolerably large sum at the banker's, I pay it over.

571. What amount do you intend by a tolerably large sum?—About 1,000*l.*; just at the end of the Session the sum becomes rather large; I do not pay it over immediately.

572. Do you know what is the custom—whether the solicitors or agents make their demands before the end of the Session?—Yes, certainly.

573. The heaviest fees which are paid are the Committee and the engrossing fees?—Yes, the House fees, the Committee fees, and the engrossing fees are the largest; the amount of the Committee fees depends upon the number of sittings of the Committee.

574. Have you any thing to do with the short-hand writer's charges in Private Bill Committees?—No; he makes his own charges to the parties.

575. At the bottom of your account the Committee observe you request "the favour of an early payment of the above amount."—Yes; if we were to leave all the small charges to the end of the Session, they would never be got in; the agents who are living in the neighbourhood we know, and can apply to them at any time.

576. Supposing that any of the principal agents engaged in conducting Bills were to die or to fail, to what extent should you feel yourself responsible in the case, for instance, of fees, which had been incurred before the 1st of May, but for which you did not ask till the middle of July?—I should not feel myself responsible at all; I have only pursued the system which was prevalent when I came into the office.

577. You would not conceive yourself responsible for the loss?—Certainly not; if I did, no Bill would pass till the fees were paid.

578. On what principle should the public be so lax in their demand, if you, as a private individual, would not like to be so lax yourself?—I have pursued the system which I found in practice when I came into the office; I received no fresh instructions.

579. In your opinion, is it a good system that there should be so much delay?—I do not think it can be said to be either good or bad; it goes on very well.

580. Like other systems, it goes on well till something unforeseen happens; but do you think it is a sound system to give so much credit, under the circumstances?—I do not think that there is any disadvantage resulting from it.

581. None *has* resulted?—We are often compelled to alter our demand of fees, in consequence of alterations which have taken place in the progress of the Bills; the account therefore cannot be made up till the Bill has passed the Commons;

Commons; the Committee are aware that, if an agent did not pay the fees, The Speaker would suspend him from practising.

582. What objection would there be, so far as you are aware, as being concerned in the management of the fees department in the House of Commons, in calling upon the parties to pay, for instance, within a week or ten days after the fees had been incurred?—There would be no difficulty on my part.

583. Supposing those persons were to pay their fees every Monday or Saturday as they were incurred, do you think there would be any difficulty on your part?—None.

584. They would be payments on account?—Payments on account would occasion an immense deal of trouble, because the rule is, that the fees are altered as the Bill passes. The fees are charged first of all upon the Bill as brought in; then the agents will frequently come and say "The Committee have struck out such and such provisions, and the fees must be reduced;" in such a case, if the fees had already been paid, a fresh calculation of The House fees, and of some of the Committee fees must be made, and a refunding of the money I had already received must ensue.

585. So long as a Bill is in The House you have a hold upon the agents; the moment it is out of The House you can only go to work on common-law principles; but suppose it was a Standing Order of The House that the fees should be paid up before the third reading of the Bill, would that increase your trouble?—The fees cannot be made out correctly till after the third reading, as the engrossing fees could not be made up, on account of riders which might be added, and even on the third reading a Clause for a new subject might be inserted, which would increase the number of fees (this has happened twice lately), consequently an alteration in the amount of a great number of the items, forming the total charge, must take place. If a more frequent collection of the fees is deemed necessary, it should take place after the third reading, and by some arrangement with the House of Lords, we might have a lien still upon them.

586. What amount of fees do you receive in the course of the year?—This year it will be between 20,000*l.* and 30,000*l.*

587. About five and twenty thousand pounds?—Not so much as that; I should think about 22,000*l.*

588. How much have you received up to the present time?—Eight thousand and thirteen pounds eighteen shillings and one penny.

589. Some fourteen thousand is still to be received?—Yes.

590. You do not know exactly what amount you will have to receive?—No; as Bills are still passing.

591. There can be but a small amount of fees yet to be incurred?—No.

592. Your belief is, that the fees this year will amount to two or three and twenty thousand pounds, of which you have received about eight thousand?—Yes.

593. When Bills are brought in which affect any of the public services or the property of the Crown in any way, what communications have you with the public departments?—I send Bills to various public departments, and if they have any alterations they desire to make, they send word to me; the Customs send through the Treasury, but the report finally comes to me; the Stamp Office write to me direct, and so does the Admiralty.

594. How is it in the case of the Excise?—I do not remember any Bill amended by the Excise.

595. Would they communicate directly with you?—I think probably they would write to the Treasury.

596. Why is there that distinction in the official routine?—I cannot say.

597. Your communication with the public offices is not as clerk of the fees?—No, as managing the public business.

598. By what term would your situation be technically called?—Chief clerk of the Public Bills Office.

599. The private Bills come under your department?—I send them to the public departments in connexion with the public business; the Bills are left in my office by the agents, and we send them to various public departments.

600. Is it part of your duty as clerk of the Public Bill Office to see what is the object of a private Bill?—No, I cannot tell that as Clerk of the Public

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Bill Office; but as Clerk of the Fees, I look through all Private Bills commencing in the Commons.

601–605. You must in some way become acquainted with it, or you will not know to what public department to send them?—A great many of the Bills are sent to the following public departments: to the Land Revenue Office, enclosure Bills. To the Solicitors of the Land Revenue, all Bills except Estates. To the Stamp Office, Bills for Railways, Canals, Harbours, Paving, Joint Stock Companies. To the Customs, Bills for Railways, Canals, Harbours. To the Excise, Bills for Railways, Canals, Harbours. To the Admiralty, Bills for Harbours and Tidal Rivers. To the Receivers of Fines, Forfeitures and Quit Rents, all Bills except Estates. To the Duchy of Lancaster, Bills for Enclosures, Harbours, Railways and Canals. A print of every Private Bill (except Estates) is sent by the Parliamentary Agent to the Board of Trade, where they are considered, and amendments made if deemed necessary.

606. That is the way in which you deal with them in the first instance; what are your dealings with them afterwards, as connected with the public business?—If I have an answer sent back, I communicate with the agents, and desire them to put in the amendments which have been been sent.

607. How soon is that?—As soon as I receive the statement of what is wished.

608. Do the agents complain that answers are not sent?—They are very happy not to have any answer.

609. The object of these questions is to ascertain, from your experience, how far there would be difficulty in getting the public offices to signify their desire for particular clauses before the Bill is reported to The House?—I think they always do.

610. If it were known that all clauses of that sort must in regular form be sent in before the Bill is reported, do you think that the public offices, generally speaking, would comply with that?—I do not see what agents can demand more than they have now; I send them word as soon as I receive the amendment.

611. Would there be any difficulty in agents getting the opinion of public offices as to the clauses on which they meant to insist, in time to put them in before the Committee upon the Bill?—The only department with which they are in general likely to have any particular communication is the Land Revenue Office; the others are perfectly simple; in the case of the Stamp Office, for instance, it is perfectly well known what they require; the agents know that full well.

612. You do not think that there would be any hardship upon parties promoting Bills, if a rule were laid down that all official clauses should be inserted in Committee, and should not be allowed to be put in upon motion after the Committee?—I do not know that the Government would agree to that; the formal clauses, I think, are always put in in Committee; the agents know what those formal clauses are, and it is their duty to put them in before the Committee.

613. There may be special cases which ought to be provided for, in which the rule should not apply; but, as a general proposition, do you think there would be any difficulty?—No.

614. Have you ever turned your attention to the possibility of urging parties promoting Bills to proceed with more rapidity in forwarding them up to certain stages; the Committee for instance?—That is a difficult question; the Parliamentary agent often by delay obviates opposition which would otherwise arise.

615. A difficulty arises from that cause?—Yes; I do not think it is the interest of agents to seek for delay; I can speak for myself, that when I was in extensive business, I was never more happy than when I saw the Bill finished.

616. Whatever may be the disposition of the agents, they may have certain clients who are inclined to delay?—They may have.

617. To what extent could you arm a Parliamentary agent with such authority as to enable him to press on dilatory persons his clients?—I can hardly say; I know in my own practice I have seen numerous instances in which, if we had gone into Committee at the first moment, we should have had a fierce opposition, but by going on gradually the opposition was settled.

618. Possibly

618. Possibly you finished your proceedings in Committee as speedily as you would had it been the other way?—Yes, and with incomparably less expense. *J. E. Dorington, Esq.* 27 July 1843.

619. Still, the fact is, that there is a great disposition to delay, is there not?—I think possibly a disposition to delay is the feeling of many minds.

620. Mr. *Greene.*] In communicating with public departments, do you inform them when the Bill is going into Committee?—No.

621. Would there be advantage, in your opinion, in their knowing actually when the Bill is to go into Committee?—There might; but I could not be aware what Bills or what Departments might require amendments; I have only received about 35 communications from Public Offices in the present Session, and in the next, I anticipate, they will not be so numerous, as the formal clauses are now quite settled.

622. Does it not happen frequently that clauses just sent up from public departments are brought at the last moment into the Committee-room?—No, I think not, except as to the Land Revenue, in respect of which special provisions are generally required; certainly not, as to the others; the Admiralty have, in some instances, had negociations with respect to what was going on, up to the last moment; but, generally speaking, what is required by the Admiralty is contained in one clause, that the parties shall not establish any work below high-water mark without the consent of the Admiralty.

Lunæ, 31° die Julii, 1843.

PRESENT:

Mr. Estcourt. | Sir Robert Ferguson.
Mr. Greene. |

LORD GRANVILLE SOMERSET IN THE CHAIR.

John Shaw Lefevre, Esq.; and, *James Booth*, Esq.; Examined.

623. *Chairman.*] (To Mr. *Lefevre.*) YOUR attention has been drawn to the circumstance of the irregular manner in which auditors of public accounts are appointed in private Bills?—It has. *J. Shaw Lefevre, Esq., and James Booth, Esq.* 31 July 1843.

624. It has been of frequent occurrence that the auditors appointed are, in fact, persons of a description not to be likely to exercise an impartial investigation of the accounts?—Certainly; they are generally officers of the company or body whose accounts it is desirable to check; they do not in any way represent the public.

625. In fact, if there be any thing wrong, they are investigating their own abuses?—They are investigating the abuses of the company who appoints them, themselves not being in any way responsible to the public.

626. Can you give the Committee an illustration of such a case?—The illustration which occurs to me at the moment, is the case of the Bolton Gas Company; as the Bill was originally framed, the auditors were appointed by the directors, or by a general meeting, I think by the directors; the public had an interest in the proper management of the affairs of the company in this respect, that the company were to be limited to a rate of profit of 10 per cent. upon their capital, and after that, when more profit was obtained, it was to be applied by the process described in the Bill to the reduction of the rates; the public therefore had an interest in seeing that the accounts of the gas company were properly made up, and that the receipts and expenditure were duly stated, in order that they might get the benefit of a reduction of the rates as soon as possible; but the auditor being appointed by the company, would have had no interest of that kind whatever, and would have had only to see that the different parties connected with the company duly accounted for what passed through their hands; and they would have had no authority whatever, to check or watch the expenditure of the company, other than against the officers of the company; that being the Bill, as originally framed, it was suggested that the appointment of auditors should be vested in some public body, and the public body suggested was, the Recorder of the Borough.

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627. Was that suggestion adopted?—It was; it was rather difficult to know where to place the appointment, and the gas company agreed to that; they seemed satisfied that the appointment would be fairly exercised.

628. That is an exemplification of one description; but take the case of rates levied for particular purposes, and wherein no party is to make any profit whatever, what are the general clauses introduced into those Bills with reference to the audit of accounts?—I do not think I am sufficiently familiar with those Bills to give a precise answer.

629. Without being familiar with all Bills of that character which have been passed, has your attention been drawn to any one in which a difficulty arose as to the sort of auditor?—I do not think a point has ever been raised before me on that subject.

630. (To Mr. *Booth*.) Has your attention been attracted to Bills of that nature?—In the Model Bill framed, a power is given to the rate-payers, if dissatisfied with the accounts, to appoint an individual to audit the accounts, not being a Commissioner.

631. In many cases the dissatisfaction may not be produced, because the very points upon which dissatisfaction might arise might be concealed if the auditor did not do his duty; should you be inclined to go beyond a permissive power, and establish that a public auditor should, by the Bill constituting a company of that kind, be appointed in such a manner as to be independent of the general management?—That is not a matter on which I am peculiarly qualified to form an opinion, but I should conceive it desirable, in all cases, that an auditor should be appointed by some public body; suppose the justices at quarter sessions. This is the clause to which I am referring in the Town Improvement Bill, "That at the meeting so to be held for examining and passing the accounts of the Commissioners, it shall be lawful for the rate-payers or persons by this Act authorized to appoint the Commissioners, to nominate, if they think fit so to do, two or more persons, not being Commissioners, to be auditors of the accounts of the Commissioners, and the persons so nominated auditors shall have the like qualification or disability as the Commissioners, and before entering on their office shall make and sign, before one of Her Majesty's Justices of the Peace, a solemn declaration of the like purport and effect to that hereby required to be signed by the Commissioners."

632. Is there any power of appeal?—"If such auditor think there is just cause to disapprove of any part of the said accounts, it shall be lawful for such auditor or any other person interested in the accounts to appeal against any such parts of the said accounts as shall be so disapproved of, to one of the two next general quarter sessions of the peace." The accounts are to be final, unless appealed against.

633. The power is permissive only?—Just so.

634. Should you conceive that the appointment of an auditor should be imperative in all cases?—I cannot say that I have had any experience upon the subject. It occurs to me as a useful thing that it should be so.

635. Mr. *Greene*.] Does a clause similar to that exist in any other Bills for Docks in the hands of Commissioners, and so on?—No; this model has been framed for a Bill to be carried on by Commissioners; the persons framing a Dock Bill to be carried on by Commissioners might incorporate this, certainly.

636. There is nothing at present in the Standing Orders to compel them to insert a clause for the appointment of an auditor?—No, there is no Standing Order requiring the adoption of any of those clauses.

637. There are two classes of Bills by which rates are levied, or rather demands made on parties, one where there are actual rates, as in the case of Improvement Bills, where sums are levied under particular provisions, and the other, such as have been referred to, where to a certain extent the payment is voluntary, but at the same time the public has an interest in seeing that the funds shall be properly applied, and the expenses restricted within due bounds, in both cases the public has an interest, though a different interest; do you see any difficulty in applying a Standing Order to each of those cases, so as to render it imperative that an auditor shall in each case be appointed against whose decision an appeal to another tribunal might be given; Supposing the principle determined, there would be no difficulty in framing such a Standing Order?—I think, in a Town Improvement Bill, where the Commissioners are authorized

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authorized to levy a rate, and in a Gas Bill where the public have an interest in limiting the expense, there is a clear interest to have the accounts audited. I cannot see that the public has a like interest in a Dock Bill carried into execution by a company.

638. The public has an interest in two cases, one where the rate to be demanded of the public is contingent on the profit to be made, whether dock or bridge, or waterworks or gas, if the public is to be served at a cheaper rate under one expenditure than another; in such cases, do you not conceive an imperative order should be made as to the appointment of a public auditor?—I think, in that class of cases, it should, wherever the public is interested in limiting the expenditure.

639. There is another class of cases, where the expenditure is levied under Commissioners, or other local authority, and the expenditure ought not to exceed what the Act of Parliament renders legal; in that case, ought there not to be a public auditor to see to the general propriety of the proceeding?—I should conceive so.

640. Do you think there would be any difficulty in drawing up Standing Orders to embrace those cases?—No; it would be a question to what extent the provisions should be set out in the Standing Order; to state simply that an auditor should be appointed, by a particular body, to audit the accounts, would be extremely simple; and supposing that the Committee had made up their minds as to the body by whom the auditor should be appointed, there could be no difficulty in framing a Standing Order to meet the case.

641. Your attention having been drawn to the subject, can you advise the Committee as to the form of a general order to effect the object, and yet not so particular in its provisions as to render it nugatory?—(Mr. *Lefevre.*) In attempting to sketch out an order of this kind, I encountered a difficulty, that although the town council, or the county magistrates might, for certain purposes, in certain districts, be the proper parties to whom to intrust the appointment of the auditor, this rule would not at all apply in the case of a dock company; some higher authority is required watching over more distant interests, those of the shipping generally. At the same time it appeared to me, that if the order was so framed as to give the alternative of the magistrates of the county or town to which the Bill related appointing, and then using general words, "or some other public authority," it might be enough guide to the parties who bring in the Bills to oblige them to do what was necessary. I do not think it would be easy, if possible, to draw an order to provide for every individual case; but that if the intention of Parliament was indicated, that might be sufficient.

642. Mr. *Estcourt.*] Is it usual to put into Bills a clause requiring the appointment of auditors?—(Mr. *Booth.*) In the Dock Company Bills there is provision made; and in the Town Improvement Bills power is given to the rate-payers to appoint an auditor, if they be dissatisfied with the accounts.

643. *Chairman.*] Would it be better that the Standing Order should provide first, that an auditor shall be appointed; and secondly, that such auditor shall be appointed by parties not having a direct interest in the direction of the receipts and expenditure of the funds which form the subject of the account?—I think that would be the most convenient method, to make provision for the appointment of an auditor by some body unconnected with the Company whose accounts are to be audited. (Mr. *Lefevre.*) I think that would be the best course.

644. Have any points occurred to you as requiring alteration with regard to the accounts?—With regard to dock companies, it might be desirable that they should be compelled to keep accounts. The clause supposes accounts to be kept, and requires an abstract of them; a very few words would be sufficient to make it complete.

645. Is there any other point which strikes you?—There is one class of Bills termed Company Bills. It appears to me that it would be very desirable, if a Standing Order were framed, requiring that at a certain stage of those Bills it should be shown that a certain proportion of the capital is paid up; that is a regulation in force as to certain companies, but not as to companies generally; I have seen, since I have been at the Board of Trade, applications made for the power of suing and being sued before a company has actually commenced business; and, in all probability, with a view of getting subscriptions more easily, parties having the privilege of suing or being sued,

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may form a sanction, which the company always gets by an Act of Parliament. I have always wished to ascertain what capital they had subscribed, and of course my means for ascertaining that are very imperfect; I have no power of examining any one, and must depend upon the good-will of persons who apply for a Bill; they may be ready to afford me the information, but I think it would be much better if some rule were laid down to meet the case of those applications; and in order to show the *bona fides* of the company, or to show that it is a company which can fairly ask for the privilege.

646. Would your object go to the insisting on a certain sum being paid down, or only to ascertain the amount paid down?—It appears to me that it ought to go to both; I believe that a Standing Order, compelling the disclosure of the amount which had been paid up would do good, even without the other, if that were not thought desirable.

647. Is there any other point you would suggest?—There is another point on which I have felt a great deal of difficulty; I mean with reference to fixing a minimum for the amount of such share in a joint stock company; it has been urged upon the Board of Trade on several occasions, that *5l.* shares are too low, and indeed that *10l.* shares are too low; the Board of Trade has been rather desirous of raising the limit, and of endeavouring to discountenance any Bill which had such small shares as *5l.* or *10l.*; we have not, however, ventured to lay down any general rule upon that subject, and it has occurred to me that it would be very desirable, presuming that a limit was advisable, that it should be regulated by a Standing Order.

Jovis, 3° *die Augusti*, 1843.

PRESENT:

Mr. Estcourt.	Sir John Y. Buller.
Mr. Ewart.	Mr. Greene.
Sir Robert Ferguson.	

LORD GRANVILLE SOMERSET, IN THE CHAIR.

John Shaw Lefevre, Esq.; and, *James Booth*, Esq.; further Examined.

J. Shaw Lefevre, Esq., and *James Booth*, Esq.

3 August 1843.

648. *Chairman.*] WILL you have the goodness to hand in such Standing Order as will carry out the opinions which we were discussing on a former day?—(Mr. *Booth.*) Those are the Orders which I have framed with that view.—[*The same were read.*]—(Mr. *Booth.*) With reference to turnpike trusts, provision is already made to a considerable extent, and the Committee would therefore, perhaps, think fit to except turnpike trusts in England and Scotland.

649. How are turnpike trusts audited in Scotland?—In Scotland the accounts are required to be annually audited, either by the trustees or a committee of their number to be appointed, and an abstract to be made and signed by three of their number. It occurred to me that you might get clear of the difficulty by introducing an exception, after saying to provide for the following objects, "except in so far as any of such objects shall have been provided for in some general Act applicable to the subject-matter of the Bill."—(Mr. *Lefevre.*) I produce an Order which was the subject of conversation at the last meeting of the Committee.—[*The Witness produced the same.*]

650. (To Mr. *Booth.*) Can you give the Committee any information upon the subject of taxing Bills of agents promoting private Bills; is there any power of taxing those Bills?—The Act of 6 Geo. 4, c. 123, directs The Speaker to appoint a person to tax Bills upon the application of the parties.

651. Who is the officer usually appointed for that purpose?—It has been usual to appoint one of the Clerks of the Table; the late Mr. Rickman generally undertook that duty during his life-time. Since his death I am not able to say who has undertaken it.

652. In point of fact, so far as you are able to say, no regular person is appointed the taxing officer?—No; The Speaker is directed, upon application being made to him, to direct that such costs and expenses, so far as the same shall relate to the House of Commons, shall be taxed by such person or persons as

as The Speaker shall think proper to appoint.

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653. That statute, in point of fact, only applies to expenses incurred before the House of Commons?—Yes.

654. It does not apply to the expenses incurred in the other House of Parliament?—No; but there is also an Act applicable to the expenses in the other House.

655. By the words of the Act, do you conceive that all the preceding expenses to the application for the Bill may be taxed?—I would rather not give any opinion at this moment, upon the effect of this Act of Parliament; my attention has not been called to the subject, and I am not prepared therefore to express an opinion upon it. The words used there are, "The amount of the costs and expenses charged by any Parliamentary agent or solicitor, or any other person employed in soliciting or preparing such Bill, or in complying with the Standing Orders relative thereto;" of course, in so far as the previous expenses were occasioned by the Standing Orders of The House, they would be covered by those words.

656. The Standing Orders of this House call upon parties to incur very serious expenses before the Bill is brought in?—Yes; and those might be, I think, taxed under the words of the Act.

657. You have not given much consideration to it, but that is your present impression?—Yes.

658. Do you happen to know, from any communication or otherwise, whether that power has been exercised latterly?—I am not able to say.

659. Do you know whether application has been made for the exercise of the power?—I have only heard of one application, which was at the close of last Session; but how it was ultimately disposed of I am not able to state.

660. Was that application made to you?—The application was made to The Speaker, and The Speaker communicated with me upon the subject; and I am not able to state what was ultimately done.

661. Have you ever turned your attention to the advantage or practicability of rendering taxation necessary, as a matter of course, with reference to the Bills of all agents promoting private Bills through the House of Commons?—It is a subject that I have not particularly considered, and I am not prepared to give any opinion that would be worthy the consideration of the Committee.

662. Under the provisions of the statute to which you have referred, are there any means of perfect investigation?—I have not very recently considered the Act, but I would observe generally that the Act is very defective.

Lunæ, 7° die Augusti, 1843.

PRESENT:

Mr. Estcourt. | Sir John Y. Buller.

LORD GRANVILLE SOMERSET, IN THE CHAIR.

James Booth, Esq. was further Examined.

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663. *Chairman.*] HAVE you, since you appeared before the Committee on Thursday last, further considered the operation of the Act of the 6th of Geo. 4, c. 123, and have you also considered the Act of the 7th & 8th of Geo. 4, c. 64?—I have. The Act of the 6th Geo. 4, as I have stated, appears to me very defective; it does not apply to the costs of opposing Bills in Parliament; it is doubtful whether it applies to Bills originating in the House of Lords and sent down to the Commons; the person appointed to tax has no power to examine the parties or their witnesses on oath; then, with regard to one class of applications for taxation, I mean applications by agents or solicitors to have their Bills taxed (of which the case that I have mentioned as having occurred last Session is an instance), there is this very great difficulty: the object of the agent is not so much to have his Bill taxed, as to fix some party with the obligation of paying it; the question of this obligation, if disputed, is one proper for a jury. How is the taxing officer to proceed in such a case? Suppose the party charged deny his liability and refuse to attend the taxation, is the

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the taxing officer to proceed to tax the Bill *ex parte*, and report the amount to The Speaker? The Act seems to leave him no alternative; and yet upon the Report so made, The Speaker is, upon application, to grant a certificate, which is to be conclusive evidence of the demand therein certified, and is to have the effect of a warrant to confess judgment for the amount certified; and the Court, in any action which may be commenced, is, upon motion and production of the certificate, to order judgment to be entered up. The Act which provides for the taxation of costs in the House of Lords (7th & 8th Geo. 4, c. 64) is not so defective as the other Act; it applies to the costs incurred in opposing Bills; it extends to Bills coming up from the Commons, and it gives power to the taxing officer to examine the parties on oath; in addition to this, it requires the Clerk of the Parliament to prepare a list of charges proper to be allowed for the skill, time and labour of the agents; and this scale of charges, being approved by the Lords, is to be binding on all parties. Perhaps I may be allowed to call the attention of the Committee to a Bill now pending before the House of Commons (the Attornies and Solicitors' Bill), by which it appears to me that provision is, to a great extent, made for the object which is now engaging the attention of the Committee, although perhaps not intended by the framers of that Bill. By the 37th clause of that Bill, as brought down from the House of Lords, after providing that an attorney or solicitor is not to bring an action for the amount of his bill for business done, until the expiration of a month after the bill shall have been delivered, it is provided, that if no part of the business shall have been transacted in any court of law or equity (and this negative description would embrace proceedings before the two Houses of Parliament), it shall be incumbent on the Lord Chancellor or Master of the Rolls, on application of the party chargeable, within a month after the delivery of the bill, to refer the bill to be taxed by the proper officer of the court in which the reference shall be made; and if no application be made within the month, the same clause provides that it shall be lawful for the same reference to be made, either upon the application of the attorney or solicitor, or upon the application of the party chargeable, with such directions and subject to such conditions as the court making the reference shall think proper. Under this clause (supposing the Bill to pass into a law), it appears to me that in all cases in which an attorney or solicitor shall have been employed to solicit or oppose a Bill (and I believe it rarely happens that a Bill is solicited without the intervention of an attorney or solicitor), the costs may, if the parties reside in England, be taxed by one of the taxing officers of the Court of Chancery appointed under the Act of last Session: there would be this advantage attending this mode of taxation; viz. that the taxation in the two Houses would be conducted by the same officer, which has always appeared to me very desirable, many of the items of charge being common to the proceedings in both Houses; and there can be no doubt of the competency of an officer, familiar with the taxation of costs in the Court of Chancery, to tax the costs of proceedings before the two Houses of Parliament.

664. With regard to the first point, namely, the chargeability, the only inconvenience, I presume, would be this, that the agent in making out his bill would be inclined to make a better case for himself, without any power of refutation; and consequently the taxing officer might be deceived as to the amount of the charges, as no party would appear to resist it; the party would incur no liability?—The Act is rather obscure as to the question of liability; it says, that The Speaker's certificate shall be conclusive evidence of all demands therein certified; you can hardly have evidence of a demand, unless the party liable to the demand is determined.

665. It does not follow that because a party, A. B., comes and says, I have a claim against C. D., my client, that The Speaker is to make an order that C. D. shall pay the bill if it is taxed; is that the point you allude to?—That is the point; if the Act is to have any effect, it would come pretty nearly to that; the Act gives no discretion to The Speaker; The Speaker is bound, on application, to direct the taxation; the taxing officer is bound to tax; The Speaker is bound to grant a certificate upon his report, and the court in which the action is brought is bound, upon motion, to enter up judgment for the amount.

666. I am aware that The Speaker is bound to do so, so far as the taxation is concerned; but I was not aware that there were any fair grounds for supposing that the mere fact of the taxation and the certificate would at the same time fix

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the liability upon a particular party?—It will probably be found that the Act, whatever may have been the intention, would not have that effect, because in resorting to the statutory remedy given by this Act, it would be necessary that the provisions of the Act should be strictly followed; and it does not appear to me that the taxing officer has any power to report to The Speaker the name of the party chargeable with the sum allowed in taxation; and without that, I do not see how the certificate could be enforced.

667. Your notion is, that it is inoperative; but if operative, it might have the inconvenience to which you have alluded?—Yes.

668. The taxation is one thing, but fixing the liability of the party is another?—Yes; but unless it is ascertained who is the party liable to pay, the taxation would be idle.

669. That is to say, the officer might not determine rightly, as it would be an *ex parte* proceeding?—Exactly so; he could not satisfactorily tax the bill in the absence of the party chargeable.

670. The amount allowed by The Speaker is the amount to be recovered from the party from whom it is recoverable?—That is the amount which, according to the statute, is recoverable in a summary manner.

671. If the party does not succeed in relieving himself from responsibility, he must pay the sum allowed?—That would be a question for the court in which the application was made to enter up judgment on The Speaker's certificate.

672. What I want to understand is, whether you consider, admitting the decision of The Speaker is not conclusive as against any individual, that it is conclusive, so far as the amount goes, of the agents' charges, whoever may be the individual to pay that amount?—No; I conceive it would be conclusive only on the supposition that the court of law should feel itself bound to enforce the statutory remedy, and cause judgment to be entered up upon The Speaker's certificate as upon a warrant to confess judgment.

673. Suppose the court feels itself bound as to the amount, it might not feel itself bound as to the individual to pay, which are two distinct questions; what course would the court be likely to adopt?—I find it difficult to suggest what course the court would be likely to take in such a case; it would probably consider it fit to put the matter in some train of inquiry, to ascertain who was the party liable.

674. Is there as much probability of that inquiry being directed, as to the amount to be paid, as there is upon the other point, namely, the party liable to pay?—I think the probability is, that the matter would go to a jury, and the jury would take both questions into consideration.

675. It would be a mere matter of evidence, and not a conclusive decision, as to the particular sum to be paid?—Yes, I think that would be the result.

676. Upon the whole, do you think that the Act of 6th Geo. 4, c. 123, and the 7th & 8th Geo. 4, c. 64, should be revised, consolidated and explained by some means or another?—I certainly think they ought not to be left in the state in which they now are.

677. With regard to the Lords' Act, is there the same doubt with respect to the party to be fixed with liability?—Yes, the provisions of the two Acts are the same in that respect.

[*A Bill for consolidating and amending several of the Laws relating to Attornies and Solicitors practising in England and Wales, introduced during the present Session, was handed to the Chairman.*]

678. Refer the Committee to the clause to which you wish to call our attention?—It is in page 15, clause 37; it is a very long clause, containing a great many things mixed up together in it; but the effect of it, so far as relates to the matter in hand, is that which I have already stated.

679. Would it be lawful, under this clause, to refer for taxation to the officer of the court any Parliamentary business?—I conceive it would. The clause gives to the Lord Chancellor and Master of the Rolls a power which does not exist under the present law, to refer the bill of any attorney or solicitor for business not transacted in any court of law or equity for taxation by the taxing officer of the Court of Chancery.

680. You mean to say that the operation of that clause would be to make liable to taxation every possible charge an attorney could make?—I think so.

681. You conceive that this Bill would enable parties coming before the two

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Houses of Parliament to have their costs taxed by the proper officer of the Court of Chancery if this Bill passes?—Yes, I conceive so.

682. Would they apply to any one of the five judges in equity?—No; the application is to be made either to the Lord Chancellor or the Master of the Rolls.

683 Mr. *Estcourt.*] He would refer the bills to the proper officer of the Court?—Yes.

684. Then that proper officer of the court would be a gentleman appointed here?—No; it would be the officer of the court which directed the reference. By the Act of last Session there were six taxing Masters appointed for the Court of Chancery, and it would be referred to one of them.

685. The Court of Chancery has an officer of its own for taxing?—Yes, it has six taxing officers.

686. *Chairman.*] Assuming that this Bill was passed into a law, how would it operate with respect to the two Acts to which you have already referred, the 6th Geo. 4, c. 123, and the 7th & 8th Geo. 4, c. 64?—It would leave them just as they are.

687. Might not this inconvenience arise, that the taxation under the order of The Speaker of the House of Commons would be one thing, and the taxation under this Act by the officer of the Court of Chancery would be another?—That might be so.

688. That would be very awkward, would it not?—Undoubtedly it would be very inconvenient.

689. These Acts are public statutes; could the operation of these Acts be superseded by this sort of constructive explanation of this particular clause?—No, they would not be superseded; it would be a concurrent jurisdiction.

690. Supposing A., the agent for a Bill, applied to The Speaker for an order for taxation, and B., the other party interested, applied to a Court of Equity for that purpose, how would it be settled?—There would be a double taxation.

691. That would be a very awkward thing, inasmuch as the taxation under The Speaker's order might be 400 *l.*, and the taxation by the officer in Chancery might be 300 *l.*?—Very probably.

692. What effect would that produce, would not the taxation by The Speaker be an estoppel to any proceedings under the other taxation?—I think the probability is, that the taxation by The Speaker would be ineffectual. If the certificate of The Speaker contained the name of the party liable to pay the amount certified, it would, I think, be bad upon the face of it; and if it did not, the court of law would have great difficulty in exercising the summary jurisdiction given by the Act, by entering up judgment on motion against the party sought to be charged.

693. Suppose The Speaker issued his certificate upon the report of the taxing officer, made under the 6th Geo. 4, when there was no doubt as to who the party liable was, do you think there would be a doubt in a court of law whether it was conclusive if this Act passed?—What I meant to say was, that if the report made by the taxing officer to The Speaker stated the name of the party liable to pay the costs, and The Speaker issued his certificate accordingly, when that certificate was attempted to be enforced in a court of law, that court would say, that the certificate was bad upon the face of it, and would refuse to enforce it.

694. Why?—Because the taxing officer has no power to determine who is the party liable to pay; he is exceeding his jurisdiction.

695. Supposing this Bill was to pass as it now stands, and one party was to apply to the Court of Chancery to refer the account for taxation, and another party should apply to The Speaker for an order for taxation, and the Court of Chancery were to allow one sum, and The Speaker were to allow another; would not the sum allowed by The Speaker be conclusive; it would not be affected by this Act, because the former Act is not referred to in this?—It would not; and there might be that conflict of jurisdiction; I think the two jurisdictions ought not to exist together.

696. The same thing applies to the taxation of costs in the House of Lords?—Yes.

697. Does that Act refer to judicial proceedings in the House of Lords?—No, it is confined to the costs of soliciting or opposing Private Bills.

698. Presuming these two Acts were repealed, is it your belief that this Act, if

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if passed, would provide for all that was necessary?—No, it does not extend to Ireland or to Scotland; it is confined to England. Supposing it was considered that the taxing Master of the Court of Chancery was a proper tribunal to tax the costs of proceeding in Parliament, it would be necessary to make provision for the cases of parties residing in Ireland and Scotland.

[*The Acts of* 6 *Geo.* 4, *c.* 123, *and the* 7 *&* 8 *Geo.* 4, *were handed to the Chairman.*]

699. There is no provision for taxing the costs of the party opposing the Bill?—No, not in the Act relating to the Commons.

700. They may be just as improper as the costs of the party promoting the Bill?—Yes, there should be the same means of taxation for both.

701. This includes every thing up to the carrying of the Bill up to the House of Lords?—Yes.

702. If a taxing officer is appointed only *pro hac vice*, as the case arises, he does not know what he is to do, or what he is not to do; that is the vice of the present system?—Yes; I believe the persons now usually appointed feel themselves quite incompetent to discharge the duty imposed upon them.

703. Taking the case of the Brighton Gas Bill, the parties applied to the taxing officer here, and we know the result; they might have applied to the House of Lords, and the taxing officer there might have fixed upon a different sum?—Yes, so far as the bill was for business common to the two Houses. I have already suggested, that the same officer should tax the bill for the proceedings in both Houses.

704. Lord Langdale's Bill extends to business generally?—Yes, it extends to any business in which an attorney or solicitor is employed.

705. There is no limitation in those Acts as to when the bill shall be taxed?—There is no limitation.

706. Do you happen to know the fees charged for taxation in the House of Commons?—There is a Standing Order regulating the fees payable upon the taxation.

707. Those fees go to the Fee Fund; there is no private party who gets any thing?—I believe the fees of the taxing officers go to the Fee Fund; but my impression is, that the clerk receives two guineas.

708. Have you any other suggestion to offer to the Committee?—Not any.

Charles Edward Lefroy, Esq., called in; and Examined.

C. E. Lefroy, Esq.

709. *Chairman.*] HAVE you had any applications during the present Session for the taxation of bills of costs?—Not one.

710. Had you last year?—The Speaker had one last year; there have been two applications since I have been secretary; one of them I have not been able to lay my hand upon; the other is dated the 4th of February 1842, and comes from Messrs. Tilson & Tilson, and is to tax the accompanying bill of charges incurred in passing the Brighton Gas Act.

711. When was the Brighton Act passed to which that refers?—It received the Royal Assent on the 14th of June 1839.

712. What was their application?—This is the letter:—

"Sir, 29, Coleman-street, 4th February 1842.

"We have the honour to apply to the Right honourable The Speaker of the House of Commons for an order to tax the accompanying bill of charges incurred in passing the Brighton Gas Act through Parliament, pursuant to an Act passed in the sixth year of the reign of his late Majesty King George the Fourth, intituled, 'An Act to establish a Taxation of Costs on Private Bills, &c.'

"We have the honour to remain, Sir,

"Your most obedient humble servants,

"To the Right honourable The Speaker of the House of Commons." "*Tilson, Squance & Tilson.*"

713. In consequence of that application, what did Mr. Speaker do?—In consequence of that application The Speaker issued his warrant, which is in these words:—

"By virtue of the powers given to The Speaker of the House of Commons by an Act passed in the sixth year of the reign of his Majesty King George the Fourth, intituled, 'An Act to establish a Taxation of Costs on Private Bills in the House of Commons, and to prohibit the Sale of certain Offices under the Serjeant-at-Arms attending the House of Commons,' I do hereby nominate and appoint John Henry Ley, Esquire, Clerk of the House of

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of Commons, William Ley, Esquire, Clerk Assistant, and Henry Ley, Esquire, Second Clerk Assistant, or any one or more of them, to examine and tax the costs and expenses incurred in soliciting and passing the Brighton Gas Bill through the House of Commons, and mentioned in the requisition thereunto annexed, so far as the same shall appear to relate to the said House, and to report to me the amount thereof.

"Given under my hand this 3d day of February 1842.

"*Charles Shaw Lefevre*, Speaker."

The letter is dated the 4th February; probably the letter was written afterwards, and it was a verbal application in the first instance, and I required to have it in writing.

714. What happened in consequence?—This—[*producing a Paper*]—is the report which The Speaker received from Mr. Wm. Ley:

"*Brighton Gas Bill.*

"In pursuance of the within-mentioned Order of the Right honourable The Speaker of the House of Commons, dated the 3d day of February instant, 1842,—

"I, the Examiner thereby appointed, whose name is hereunto subscribed, do certify, that, in obedience, thereto, I have examined and taxed the costs and expenses mentioned in the said Order:

"And I do hereby report to the Right honourable The Speaker of the House of Commons, that the costs and expenses allowed by me, so far as they relate to the House of Commons, amount to the sum of £. 384. 7. 7., which, with the sum of £. 10. 10. by me disallowed, together with the sum of £. 96. 15. 4. for business done in the House of Lords, make, together, the sum of £. 491. 12. 11., the total amount of the bill of costs:

Allowed	£. 384	7	7
Disallowed	10	10	–
Lords	96	15	4
	491	12	11
Fees	6	11	8
Total	£. 498	4	7

"And I also report, that the fees due and payable on this taxation, amounting to the sum of £. 6. 11. 8., ought to be charged, two-thirds thereof against Messrs. Tilson & Co., who opposed the taxation, and one-third against Messrs. Jones & Walmisley, the agents for the Bill.

"Dated this 18th day of February 1842.

"*W. Ley.*"

715. Have the goodness to state, among the items so allowed by Mr. Ley, are there any items bearing upon transactions which took place before the introduction of the Bill into Parliament?—I am not aware of that.

716. Are there not the items mentioned in the Report?—There is nothing more mentioned than I have read; I do not know practically in what manner or on what principle the taxation is conducted.

717. Did The Speaker issue his warrant upon that Report?—Yes, I have no doubt he did.

718. Do you happen to know the amount of the fees charged for taxation in the Commons?—This Report states, "I also report that the fees due and payable on this taxation, amounting to the sum of 6*l.* 11*s.* 8*d.*"

719. The party did not get a great deal by the taxation?—No, those fees go to the Fee Fund, I believe.

720. There is no private party who gets any thing?—My impression is, that the party who taxes does get something, but it is very trifling.

721. Have you any other suggestion to offer to the Committee?—I would state, that there is a difficulty in getting any body to act as taxing officer.

722. The Speaker has the power to name the party?—He can appoint any one; but the difficulty is, that the officer is paid little or nothing for the duty; there is none to whose office it specifically belongs, and therefore there is no officer willing to undertake the duty.

723. Mr. Rickman always did it formerly?—Yes, I believe he did generally.

724. The period occupied by it during the Session is very short; I believe the agents cannot give time to attend to the taxation of their bills during the Session; and that the reason there are not more applications is, that the officers of the House are absent in the Recess, when the agents would be prepared to have their bills taxed.

[*John Shaw Lefevre, Esq. delivered in the Order, as agreed upon.*]

APPENDIX.

RETURN, showing the Number of PRIVATE BILLS during the present Session that have been Amended on the further Consideration of Report, and on the Third Reading; distinguishing the Number in each Case respectively, and stating whether by the Addition of Clauses, or otherwise.

	No. of Bills.
Amendments made on further Consideration of Report - - - -	38
Clauses added on - - - ditto - - - - - - -	3
Amendments made, and Clauses added - - - - - - -	10
TOTAL - - -	51

	No. of Bills.
Amendments made on Third Reading - - - - - - -	16
Clauses added on - ditto - - - - - - - - -	7
Amendments made, and Clauses added - - - - - - -	9
TOTAL - - -	32

N.B.—Of the above Bills Twenty were Amended on both stages.

Wm Hawes.

Private Bill Office, 28 July 1843.

AN ACCOUNT of the Number of PRIVATE BILLS that have been Amended, also the Number of those that have not been Amended, on the further Consideration of the Report, or on Third Reading, Session 1843.

	No. of Bills.
Total Amended on further Consideration of Report, and on Third Reading -	83
Deduct those Amended on both stages - - - - - -	20
	63
Total not Amended on further Consideration of Report, or on Third Reading -	56
TOTAL Number Read 3° - - -	119

W Hawes.

Private Bill Office, 31 July 1843.

SESSION

HOUSE OF COMMONS FEES

incurred upon the BILL.

	£.		
House Fees - - - - - -			
Committee Fees - - - - -			
Ingrossing Office Fees - - - -			
Private Bill Office Fees - - - -			
Housekeeper's and Messengers' Fees - -			
Doorkeeper's Fees - - - - -			

Mr. DORINGTON, Receiver of the Fees, requests the favour of an early payment of the above Account.

House of Commons Offices,
43, Parliament Street.

SESSION

HOUSE OF COMMONS FEES incurred upon the PETITION

of the against BILL.

	£.		
House Fees - - - - - -			
Committee Fees - - - - -			
Housekeeper's and Messengers' Fees - -			

Mr. DORINGTON, Receiver of the Fees, requests the favour of an early payment of the above Account.

House of Commons Offices,
43, Parliament Street.

REVISED STANDING ORDERS.

ABSTRACT of STANDING ORDERS relating to the passing of PRIVATE BILLS through The HOUSE of COMMONS.

STAGES OF THE PROCEEDINGS.	NOTICES AND APPLICATIONS.	DEPOSITS.	INTERVALS TO BE OBSERVED.
Previous to the commencement of Proceedings in The House.	No. of Standing Order. 15.—Notice in the London, Edinburgh or Dublin Gazettes [as the case may be], and in some one and the same County Paper, in Three successive Weeks of October and November, or either of them.	No. of Standing Order. 23.—Deposit with the Clerk of the Peace, Plans, Sections and Books of Reference on or before the 30th of November. 27.—Deposit with the Parish Clerks, &c. &c., Parochial Plans, Sections and Books of Reference on or before the 31st of December.	No. of Standing Order.
Additional under special circumstances:		28.—Deposit in the Private Bill Office, Plans, Sections and Books of Reference on or before the 31st of December.	
If Lands or Houses to be taken.	17.—Application to Owners, Lessees and Occupiers on or before the 31st of December.		
If a First Class Bill -	18.—Notice on the Church Doors of all Parishes affected on Three successive Sundays in October and November, or either of them.	17.—Deposit in the Private Bill Office, Lists of Owners, Lessees and Occupiers, Estimates and Declarations, before the Presentation of the Petition.	
If to make a Burial Ground.	20.—Notice on the Church Doors of every adjoining Parish on Three successive Sundays in October and November, or either of them. 21.—Notice to the Owner and Occupier of every Dwelling-house within 300 Yards of the intended Burial Ground on or before the 31st of December.	44.—Deposit in the Private Bill Office, Copy of Deed of Partnership, or of Subscription Contract; also a Declaration.	
Presentation of the Petition for a Bill.	36.—Notice to Owners and Occupiers, if the Bill be to relinquish a work authorized by a former Act, before the Presentation of the Petition.	35.—Deposit in the Vote Office printed Copies of Subscription Contract, or of Declaration and Estimate, before the Presentation of the Petition.	102.—Petition to be presented within Twenty-one Days after the First Friday in the Session.
Committee on Petitions	129.—Notice in the Private Bill Office of the First Meeting of the Committee, Ten clear Days. 130.—Notice in the Private Bill Office of the Postponement of the First Meeting of the Committee, One clear Day.	- - - - - - - -	104.—Between the Presentation of Petition and the Meeting of the Committee, if an English Bill, Ten clear Days; if a Scotch or Irish Bill, Fifteen clear Days.
Second Reading - -	134.—Notice in the Private Bill Office of the Second Reading, Three clear Days.	- - - - - - - -	110.—Between the First and Second Reading, Three clear Days. 112.—Second Reading not within Two Months after the last Notice in the Newspapers. 114.—Second Reading not within Three clear Days after the Breviate shall have been laid on the Table.

ABSTRACT of Standing Orders relating to the passing of Private Bills through the House of Commons—*continued.*

STAGES OF THE PROCEEDINGS.	NOTICES AND APPLICATIONS.	DEPOSITS.	INTERVALS TO BE OBSERVED.
ommittee on the Bill	No. of Standing Order. 135.—Notice in the Private Bill Office of the Meeting of the Committee, Seven clear Days.	No. of Standing Order. 136.—Deposit in the Private Bill Office a filled-up Bill, on giving Notice of the Committee.	No. of Standing Order. 117.—Between Second Reading and the Meeting of the Committee, Seven clear Days.
ostponement of the Committee.	137.—Notice in the Private Bill Office of the Postponement of First Meeting of the Committee, One clear Day.		
e-committal of the Bill	135.—Notice in the Private Bill Office of the Meeting of the Committee, Three clear Days.	136.—Deposit in the Private Bill Office a filled-up Bill, as proposed to be submitted to the Committee, on giving Notice.	
eport - - -	139.—Notice in the Private Bill Office of the Report, and Consideration of the Report, One clear Day. 141.—Notice in the Private Bill Office of any Clause to be brought up, or Amendments to be made on the Consideration of the Report, on the Day previous to such Consideration.	120.—Deposit with the Door-keepers, Prints of the Bill as amended Three clear Days before the Report is considered. 141.—Deposit in the Private Bill Office, any Clause to be brought up, or Amendment to be made on the Consideration of the Report, on the Day previous to such Consideration.	
ird Reading - -	142.—Notice in the Private Bill Office of the Third Reading, One clear Day. 141.—Notice in the Private Bill Office of any Clause to be brought up, or Amendments to be made on the Third Reading, on the Day previous to such Third Reading.	141.—Deposit in the Private Bill Office, any Clause to be brought up, or Amendment to be made on the Third Reading, on the Day previous to such Third Reading.	
nsideration of Lords' Amendments.	146.—Notice in the Private Bill Office of the Consideration of Lords' Amendments on the Day previous to such Consideration.		

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I.

APPOINTMENT OF COMMITTEES.

1.

So much of this Order as related to the referring of Petitions and Lords' Bills to the Committee has been transferred to the Orders under the head of "Practice of The House."

APPOINTMENT OF COMMITTEES.

1.

Committee on Petitions for Private Bills.

THAT a Committee be appointed at the commencement of every Session, consisting of *Forty-two* Members, of whom *Five* shall be a Quorum in opposed cases, and *Three* a Quorum in unopposed cases; and such Committee shall be denominated "THE SELECT COMMITTEE ON PETITIONS FOR PRIVATE BILLS."

2.

Sub-Committees on Petitions for Private Bills.

THAT the Select Committee on Petitions for Private Bills have leave to divide themselves into Sub-Committees, each consisting of *Seven* Members at the least, and to make regulations for the transaction of business.

3.

Committee on Standing Orders.

THAT a Committee be appointed at the commencement of every Session, consisting of *Eleven* Members, including the Chairmen of the Committee and of the Sub-Committees on Petitions for Private Bills, of whom *Five* shall be a Quorum; and such Committee shall be denominated "THE SELECT COMMITTEE ON STANDING ORDERS."

4.

Committee of Selection.

THAT a Committee be appointed at the commencement of every Session, consisting of the Chairman of the Select Committee on Standing Orders and of the Chairmen of the Committee and of the Sub-Committees on Petitions for Private Bills, of whom *Three* shall be a Quorum; and such Committee shall be denominated "THE COMMITTEE OF SELECTION."

5.

Committee on Opposed Private Bills.

THAT the Committee on every "Opposed Private Bill," not being a Divorce Bill, shall consist of the Members on The Speaker's List of that County or that Division of a County to which the Bill specially relates, and of such number of "Selected Members" not locally interested in the Bill in progress, and in such proportion, as the circumstances of each case shall in the judgment of the Committee of Selection require, of which Committee *Five* (including the Quorum of selected Members) shall be a Quorum.

Appointment of Committees.

6.

Committee on Unopposed Private Bills.

THAT the Committee on every "Unopposed Private Bill," not being a Divorce Bill, and which shall have originated in this House, shall consist of the Chairman of the Committee of Ways and Means, together with the Members ordered to prepare and bring in the Bill; and that the Committee on every "Unopposed Private Bill," not being a Divorce Bill, which shall have been brought from the House of Lords, shall consist of the Chairman of the Committee of Ways and Means, and of not less than *Two* other Members to be named by the Committee of Selection; and that the Chairman of the Committee of Ways and Means shall be the Chairman of the Committee on every "Unopposed Private Bill," not being a Divorce Bill; and that such Chairman and *One* of such other Members shall be the Quorum required to be present during the whole progress of the Bill through such Committee.

7.

Committee on Divorce Bills.

THAT a Committee be appointed at the commencement of every Session, consisting of not more than *Fifteen* Members, of whom *Five* shall be a Quorum; and such Committee shall be denominated "THE SELECT COMMITTEE ON DIVORCE BILLS."

8.

Members not to be added to Committee, except by special order.

THAT after any Committee on a Private Bill shall have been formed, no Members be added thereto, unless by special order of The House.

7.

Such part of this Order as related to the referring of Divorce Bills has been transferred under the head of "Practice of The House."

II.

DUTIES OF COMMITTEES.

Committee on Petitions.

DUTY OF THE SELECT COMMITTEE ON PETITIONS FOR PRIVATE BILLS.

9.

Compliance with Standing Orders to be proved before Sub-Committee.

THAT the compliance with the following Standing Orders shall be proved before one of the Sub-Committees of the Select Committee on Petitions for Private Bills, and any parties shall be at liberty to appear and be heard, by themselves, their agents and witnesses, upon any Petition which may be referred to such Committee, complaining of a non-compliance with the Standing Orders, provided the matter complained of be specifically stated in such Petition, and that such Petition be presented *Three* clear days before the first meeting of such Sub-Committee.

10.

Proof of Notices on Church-doors, where Bills relate to *England*.

THAT in the case of any application for a Private Bill relating to *England*, the Committee may admit proof of the compliance with the Standing Orders which refer to the affixing to the Church-doors the requisite Notices, on the production of affidavits sworn before any Justices in Petty Sessions assembled, for the division within which the Churches on which the Notices have been affixed shall be respectively situated.

11.

Standing Orders may be proved on Affidavit.

Scotland.

THAT in the case of any application for a Private Bill relating to *Scotland*, the Committee may admit proof of the compliance with the Standing Orders of this House, on the production of Affidavits sworn before any Sheriff Depute or his Substitute there, whose Certificate shall be admitted as evidence of such proof having been made, unless the Committee shall require further evidence.

12.

Standing Orders may be proved on Affidavit.

Ireland.

THAT in the case of any application for a Private Bill relating to *Ireland*, the Committee may admit proof of the compliance with the Standing Orders of The House, on the production of Affidavits sworn before any Judge or Assistant Barrister of that part of the United Kingdom, whose Certificate shall be admitted as evidence of such proof having been made, unless the Committee shall require further evidence.

13.

Sub-Committee to report facts when Standing Orders have not been complied with.

THAT when the Sub-Committee shall report to The House that the Standing Orders have not been complied with, they do report the facts upon which their decision is founded, and any special circumstances connected with the case.

Committee on Petitions.

14.

Notices of Application.

THAT Notices be given in all cases where Application is intended to be made for leave to bring in a Bill relating to the subjects included in any of the following Classes:—

1st CLASS.—Burial Ground, Making, Maintaining or Altering.
Church or Chapel, Building, Enlarging, Repairing or Maintaining.
City or Town, Paving, Lighting, Watching, Cleansing or Improving.
Crown, Church, or Corporation Property, or Property held in Trust for Public or Charitable Purposes.
Fishery, Making, Maintaining or Improving.
Land, Inclosing, Draining or Improving.
Market or Market-place.
Local Court, Constituting.
Market or Market-place, Erecting, Improving, Repairing, Maintaining, or Regulating.
Poor, Maintaining or Employing.
Poor Rate.
Stipendiary Magistrate, or any Public Officer, Payment of, if not out of County Rate.

2d CLASS.—Making, Maintaining, Varying, Extending or Enlarging any

Aqueduct.	Navigation.
Archway.	Pier.
Bridge.	Port.
Canal.	Railway.
Cut.	Reservoir.
Dock.	Tunnel.
Ferry.	Turnpike Road.
Harbour.	Waterwork.

3d CLASS.—Continuing or amending an Act passed for any of the purposes included in this or the two preceding Classes, where no further work than such as was authorized by a former Act is proposed to be made.
Company, Incorporating or giving Powers to.
County Rate.
County or Shire Hall, Court House.
Gaol or House of Correction.
Letters Patent, Confirming, Prolonging or Transferring the Term of.
Powers to sue and be sued, Conferring.
Stipendiary Magistrate, or any Public Officer, Payment of, if out of County Rate.

15.

Notices to be published.

THAT such Notices be published in *Three* successive *Weeks* in the months of *October* and *November*, or either of them, immediately preceding the Session of Parliament in which Application for the Bill shall be made, in the *London*, *Edinburgh* or *Dublin Gazette*, as the case may be, and in some one and the same Newspaper of the County in which the City, Town or Lands to which such Bill relates shall be situate; or if there be no Newspaper published therein, then in the Newspaper of some County adjoining or near thereto; or if such Bill do not relate to any particular City, Town or Lands, in the *London*, *Edinburgh* or *Dublin Gazette* only, as the case may be; and that all Notices required to be inserted in the *London*, *Edinburgh* or *Dublin Gazette*, be delivered at the Office of the Gazette in which the insertion is required to be made, during the usual office

16.

The words "to obtain powers for the compulsory purchase of Lands or Houses, or" have been introduced.

Committee on Petitions.

office hours, at least *Two* clear *days* previous to the publication of the Gazette, and that the receipt of the Printer for such Notice shall be proof of its due delivery.

16.

Intention to levy or alter Tolls to be stated.

That if it be the intention of the Parties applying for leave to bring in a Bill, to obtain powers for the compulsory purchase of Lands or Houses, or to levy any Tolls, Rates or Duties, or to alter any existing Tolls, Rates or Duties, or to confer, vary, or extinguish any exemptions from payment of Tolls, Rates or Duties, or any other rights or privileges, the Notices shall specify such intention.

17.

Application to Owners, &c.

That on or before the 31st day of *December* immediately preceding the application for a Bill by which any Lands or Houses are intended to be taken, or an extension of the time granted by any former Act for that purpose is sought, application in writing, (and in cases of Bills included in the second class, in the form, as near as may be, set forth in the Appendix marked (A.)), be made to the Owners or reputed Owners, Lessees or reputed Lessees, and Occupiers, either by delivering the same personally, or by leaving the same at their usual Place of Abode, or in their absence from the United Kingdom, with their Agents respectively, of which application having been duly made, the production of a written acknowledgment by the party applied to of the receipt of such application, shall be sufficient evidence, in the absence of other proof, of the same having been duly delivered or left as aforesaid; and that separate Lists be made of the Names of such Owners, Lessees and Occupiers, distinguishing which of them have assented, dissented, or are neuter in respect thereto. (*See* as to depositing said Lists in Private Bill Office, page 101, No. 127.)

Orders specially relating to Bills of the First Class.

18.

Notices on Church Doors.

That in cases of Bills included in the 1st Class, Notices shall also be affixed to the Outer Doors of the Churches of every Parish to which they specially relate, for *Three* successive *Sundays* in the months of *October* and *November*, or either of them.

Crown, &c. Property.

19.

Notice to Owners, &c.

That in cases of intended Application to Parliament for Bills relating to Crown, Church or Corporation Property, or Property held in Trust for Public or Charitable Purposes, Notice in writing of such intention be given to the Owners or reputed Owners of such Property, and to the Lessees or reputed Lessees of such Property, holding Leases granted for a life or lives, or for any term of Twenty-one Years or upwards; such Notice to be given as aforesaid previous to the Presentation of the Petition for leave to bring in the Bill, or, in the case of a Bill brought from The House of Lords, previous to the First Reading thereof.

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Burial Grounds.

20.

Notices on Church Doors.

THAT Notices be affixed to the Outer Doors of the Churches of every Parish adjoining that in which a Burial Ground is proposed to be made, for *Three* successive *Sundays* in the months of *October* and *November*, or either of them.

21.

Notice to Owners and Occupiers of Houses.

THAT on or before the *Thirty-first* day of *December* immediately preceding the Application for any Bill for making a Burial Ground, Notice be given to the Owner and Occupier of every Dwelling House situated within 300 Yards of the Boundary of the proposed Burial Ground.

ORDERS specially relating to BILLS of the SECOND CLASS.

22.

Notices to contain Names of Parishes, &c.

THAT in cases of Bills included in the 2d Class, all Notices shall contain the Names of the Parishes, Townships, Townlands and extra-parochial places from, in, through, or into which the Work is intended to be made, maintained, varied, extended or enlarged, and shall state the time and place of deposit of the Plans, Sections and Books of Reference respectively, with the Clerks of the Peace, Parish Clerks, Schoolmasters, Town Clerks and Post-masters, as the case may be. (*See* Nos. 23 & 27.)

23.

Plans, &c. with Clerk of the Peace.

THAT a Plan, and also a duplicate of such Plan, on a scale of not less than Four Inches to a Mile, be deposited for public inspection at the office of the Clerk of the Peace for every County, Riding or Division in *England* or *Ireland*, or in the Office of the Principal Sheriff Clerk of every County in *Scotland*, in or through which the Work is proposed to be made, maintained, varied, extended or enlarged, on or before the 30th day of *November*, immediately preceding the Session of Parliament in which Application for the Bill shall be made; which Plans shall describe the line or situation of the whole of the Work, and the Lands in or through which it is to be made, maintained, varied, extended or enlarged, or through which every communication to or from the Work shall be made, together with a Book of Reference containing the Names of the Owners or reputed Owners, Lessees or reputed Lessees, and Occupiers of such Lands respectively; and in the case of Bills relating to Turnpike Roads, Cuts, Canals, Reservoirs, Aqueducts and Railways, a Section and Duplicate thereof, as hereinafter described, shall likewise be deposited with such Plan and Duplicate.

24.

Lands within Deviation to be on Plan.

THAT where it is the intention of the Parties to apply for powers to make any lateral deviation from the line of the proposed Work, the limits of such deviation shall be defined upon the Plan, and all Lands included within such limits shall be marked

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marked thereon, and that in all cases, excepting where the whole of such Plan shall be upon a scale of not less than a *quarter* of an *inch* to every 100 feet, an additional Plan of any Building, Yard, Court-Yard or Land within the curtilage of any Building, or of any Ground cultivated as a Garden, either on the original line or included within the limits of the said deviation, shall be laid down on the said Plan or on the additional Plan deposited therewith, upon a scale of not less than a *quarter* of an *inch* to every 100 feet. (*See* Fig. 3.)

Buildings, &c. on enlarged Scale.

25.

Section.

That the Section be drawn to the same horizontal scale as the Plan, and to a vertical scale of not less than *one inch* to every 100 feet, and shall show the surface of the ground marked on the Plan, and the intended level of the proposed Work, and a datum horizontal line, which shall be the same throughout the whole length of the Work, or any Branch thereof respectively, and shall be referred to some fixed point stated in writing on the Section, near either of the termini. (*See* Line D. D., Fig. 2.)

26.

Clerks of Peace to indorse a Memorial on Plans, &c.

That the Clerks of the Peace or Sheriff Clerks, or their respective Deputies, do make a Memorial in writing upon the Plans, Sections and Books of Reference so deposited with them, denoting the time at which the same were lodged in their respective offices, and do at all seasonable hours of the day permit any person to view and examine one of the same, and to make copies or extracts therefrom; and that *one* of the two Plans and Sections so deposited, be sealed up and retained in the possession of the Clerk of the Peace or Sheriff Clerk until called for by order of one of the Two Houses of Parliament. (*See* Appendix, Act 1 Vict. c. 83.)

27.

Plan and Section with Parish Clerk, &c.

That on or before the 31st day of *December*, a copy of so much of the said Plans and Sections as relates to each Parish in or through which the Work is intended to be made, maintained, varied, extended or enlarged, (*see* Fig. 5.), together with a Book of Reference thereto, be deposited with the Parish Clerk of each such Parish in *England*, the Schoolmaster of each such Parish in *Scotland*, (or in Royal Burghs with the Town Clerk), and the Postmaster of the Post-town in or nearest to such Parish in *Ireland*. (*See* Appendix, Act 1 Vict. c. 83.)

28.

Time for Deposit in Private Bill Office.

That on or before the 31st day of *December*, a copy of the said Plans, Sections and Books of Reference be deposited in the Private Bill Office of this House.

29.

Estimate and Subscription Contract.

That an Estimate of the Expense be made and signed by the person making the same, and that a Subscription be entered into under a Contract, made as hereinafter described, to *three-fourths* the amount of the Estimate. (*See* as to depositing Estimate and Subscription Contract in Private Bill Office, p. 101, No. 127.)

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30.

Cases wherein Declaration may be substituted for Subscription Contract.

That in cases where the Work is to be made by means of Funds, or out of Money to be raised upon the credit of present Surplus Revenue, under the control of Directors, Trustees, or Commissioners, as the case may be, of any existing Public Work, a Declaration stating those facts, and setting forth the nature of such control, and the nature and amount of such Funds or Surplus Revenue, and given under the common seal of the Company, or under the hand of some authorized Officer of such Directors, Trustees or Commissioners, may be substituted in lieu of the Subscription Contract, and in addition to the Estimate of the Expense. (*See* as to depositing Subscription Contracts in Private Bill Office, p. 101, No. 127.)

31.

Cases wherein Declaration and Estimate of Amount of Rates may be substituted for Subscription Contract.

That in cases where the Work is to be made out of Money to be raised upon the Security of the Rates, Duties or Revenue to be created by or to arise under any Bill, under which no private or personal pecuniary profit or advantage is to be derived, a Declaration stating those facts, and setting forth the means by which Funds are to be obtained for executing the Work, and signed by the Party or Agent soliciting the Bill, together with an Estimate of the probable amount of such Rates, Duties or Revenue, signed by the Person making the same, may be substituted in lieu of the Subscription Contract, and in addition to the Estimate of the Expense. (*See* as to depositing Estimate and Subscription Contract in Private Bill Office, p. 101, No. 127.)

32.

Contract to contain Christian and Surnames of Parties.

That every Subscription Contract contain the Christian and Surnames, Description and Place of Abode of every Subscriber; his Signature to the amount of his Subscription, with the amount which he has paid up; and the Name of the Party witnessing such Signature, and the date of the same respectively.

33.

One-tenth part of amount subscribed to be deposited, and Shares of Three-fourths of Subscribers to be paid up.

That previous to the presentation of a Petition for a Bill, a sum equal to *One-tenth* part of the amount subscribed shall be deposited with the Court of Chancery in *England*, if the Work is intended to be done in *England*, or with the Court of Chancery in *England* or the Court of Exchequer in *Scotland*, if such Work is intended to be done in *Scotland*, and with the Court of Chancery in *Ireland*, if such Work is intended to be done in *Ireland*; and that not less than *Three-fourths* in number of the Subscribers shall pay up their Shares of such Deposit. (*Vide* Appendix C.)

34.

Not valid unless entered into subsequent to close of previous Session.

That no Subscription Contract shall be valid unless it be entered into subsequent to the close of the Session of Parliament previous to that in which application is made for leave to bring in the Bill to which it relates, and unless the Parties subscribing to it bind themselves, their Heirs, Executors and Administrators, for the Payment of the Money so subscribed.

35. That

Committee on Petitions.

35.

Copies of Subscription Contract, or of Declaration, &c., to be printed, and delivered in Vote Office.

That previous to the presentation of a Petition for a Bill, copies of the Subscription Contract, with the Names of the Subscribers arranged in alphabetical order, and the amount of the Deposit respectively paid up by each such Subscriber, or where a Declaration and Estimate of the probable amount of Rates and Duties are substituted in lieu of a Subscription Contract, copies of such Declaration or of such Declaration and Estimate be printed at the expense of the Promoters of the Bill, and be delivered at the Vote Office for the use of the Members of The House.

36.

Notice to Owners, &c., when the Bill is to abridge any Public Work.

That previous to the presentation of a Petition for a Bill whereby any part of a Work authorized by any former Act is intended to be relinquished, Notice in writing of such Bill be given to the Owners or reputed Owners and Occupiers of the Lands in which the part of the said Work intended to be thereby relinquished is situate.

Cuts, Canals, Reservoirs, Aqueducts and Navigations.

37.

When it is intended to divert Water from an existing Cut, &c., into an intended Cut, &c., the name of the existing Cut, &c., to be mentioned.

That in all cases where it is proposed to divert into any intended Cut, Canal, Reservoir, Aqueduct, or Navigation, or into any intended variation, extension, or enlargement thereof respectively, any Water from any existing Cut, Canal, Reservoir, Aqueduct, or Navigation, whether directly or derivatively, and whether under any agreement with the Proprietors thereof or otherwise, the Notices shall contain the name of every such existing Cut, Canal, Reservoir, Aqueduct or Navigation, the Waters supplying which, by virtue of any Act of Parliament, will either directly or derivatively flow or proceed into any such intended Cut, Canal, Reservoir, Aqueduct, or Navigation, or into any intended variation, extension or enlargement thereof.

38.

Plan to describe Brooks, &c. to be diverted.

That in all cases where it is proposed to make, vary, extend or enlarge any Cut, Canal, Reservoir, Aqueduct or Navigation, the Plan shall describe the Brooks and Streams to be directly diverted into such intended Cut, Canal, Reservoir, Aqueduct or Navigation, or into any variation, extension or enlargement thereof respectively for supplying the same with Water; it shall also exhibit the height of the several Embankments, and the depth of the several Cuttings respectively, on a scale specified thereon (*see* Fig. 1); and in cases of Bills for improving the Navigation of any River, there shall be a Section which shall specify the Levels of both Banks of such River, and where any alteration is intended to be made therein, it shall describe the same by feet and inches.

Railways.

39.

Plan of Railway to show Embankments and Cuttings.

That in all cases where it is proposed to make, vary, extend or enlarge any Railway, the Plan shall exhibit thereon the height of the several Embankments, and the depth of the several Cuttings respectively, on a scale specified thereon. (*See* Fig. 1.)

Committee on Petitions.

40.

Line of Railway on Section to correspond with upper surface of Rails.

THAT in every Section of a Railway, the Line marked thereon shall correspond with the upper surface of the Rails. (*See* Line S. S., Fig. 2.)

41.

Vertical Measures to be marked at change of gradient.

THAT a vertical measure from the datum line to the line of the Railway shall be marked in feet and inches at each change of the gradient or inclination (*see* E. F., Fig. 2), and that the proportion or rate of inclination between each such change shall also be marked. (*See* G. G. in Fig. 2.)

42.

Height of Railway, over or under surface, to be marked at every crossing of a Road, &c.

THAT the height of the Railway over or under the surface of every Turnpike Road, public Carriage Road, navigable River, Canal, or Railway, or junction with a Railway, shall be marked in figures at every crossing thereof (*see* I. I. I., Fig. 2); and if there shall be no such crossing in every half mile, then the height over or under the surface of the ground shall be marked once in that space (*see* O. O. O., Fig. 2); and if any alteration in the present level or rate of inclination of any Turnpike Road, Carriage Road or Railway be intended, then the same shall be stated on the said Section. (*See* P. Fig. 2.)

43.

Tunnelling and Archway to be marked.

THAT where tunnelling as a substitute for open cutting, or arching as a substitute for solid embankment, be intended, the same shall be marked both on the Plan and Section. (*See* Q. R., Figs. 1 and 2.)

ORDERS specially relating to BILLS of the THIRD CLASS.

44.

Documents to be deposited in Private Bill Office.

THAT as respects all Bills of the Third Class for the Incorporation of Joint Stock Companies, or proposed Companies for carrying on any Trade or Business, or for conferring upon such Companies the power of suing and being sued, there be deposited in the Private Bill Office, previous to the Presentation of the Petition for the Bill, a copy of the Deed or Agreement of Partnership (if any) under which the Company or proposed Company is acting, or of the Subscription Contract (if any), together with a declaration in writing stating the following matters:—

1st.—The present and proposed amount of the Capital of the Company.

2d.—The number of Shares, and the amount of each Share.

3d.—The number of Shares subscribed for.

4th.—The amount of Subscriptions paid up.

5th.—The names, residences and descriptions of the Shareholders or Subscribers (so far as the same can be made out), and of the actual or provisional Directors, Treasurers, Secretaries or other officer, if any.

And such documents shall be verified by the signature of some authorized officer of the Company or proposed Company (if any), and by some responsible party promoting the Bill. (*See* as to depositing documents in Private Bill Office, Order, page 101, No. 127.)

44.

This is a new Order.

Committee on Petitions.

Letters Patent.

45.

THAT in cases of Bills for confirming or prolonging the terms of Letters Patent, each Notice shall have prefixed to it in Capital Letters the name by which the Invention is usually distinguished, and shall contain a distinct description of the Invention for which such Letters Patent have been obtained, and also an account of the Term of their Duration.

Name of Invention to be prefixed in Capitals to Notice.

46 and 47.

So much of these Orders as related to the referring of Reports and Petitions to the Select Committee on Standing Orders has been transferred to the Orders under the head of "Practice of The House."

48 and 49.

These are new Orders.

DUTY OF THE SELECT COMMITTEE ON STANDING ORDERS.

46.

THAT when any Report of the Select Committee on Petitions for Private Bills, in which they shall report that the Standing Orders have not been complied with, shall have been referred to the Select Committee on Standing Orders, they shall report to The House whether such Standing Orders as have not been complied with ought or ought not to be dispensed with, and whether in their opinion the parties should be permitted to proceed with their Bill, or any portion thereof, and under what (if any) conditions.

Select Committee on Standing Orders to report whether Standing Orders ought or ought not to be dispensed with.

47.

THAT when any Petition for leave to dispense with any of the Sessional Orders of The House relating to Private Bills, shall have been referred to the Select Committee on Standing Orders, they shall report to The House whether such Sessional Orders ought or ought not to be dispensed with.

Select Committee on Standing Orders to report whether Sessional Order ought or ought not to be dispensed with.

48.

THAT when any Clause or Amendment proposed to any Private Bill on the Report, or the Consideration of the Report thereof, shall have been referred to the Select Committee on Standing Orders, they shall report to The House whether such Clause or Amendment be of such a nature as not to be adopted by The House without the Re-commitment of the Bill, or of such a nature as to justify The House in entertaining it without recurring to that proceeding.

Committee to report whether Clause and Amendment on Report ought to be adopted or not by House without Re-commitment.

49.

THAT when any Clause or Amendment proposed to any Private Bill on the Third Reading shall have been referred to the Select Committee on Standing Orders, they shall report to The House whether such Clause or Amendment ought or ought not to be adopted by The House at that stage.

Committee to report whether Clause or Amendment on Third Reading ought to be adopted or not by House at that stage.

Committee of Selection.

DUTY OF THE COMMITTEE OF SELECTION.

50.

THAT the Committee of Selection shall refer every Private Bill referred to them, when it be opposed, to the Speaker's List of that County or that Division of a County to which the Bill specially relates, and to such number of Members not locally interested in the Bill as the circumstances of the case shall in their judgment require.

Opposed Bill to be referred to Speaker's List, &c.

51.

THAT the Committee of Selection shall in each case direct what number of the Members (not locally interested in the Bill) selected and added to the Speaker's List by them, shall be a Quorum of such Members.

Quorum of Selected Members.

52.

THAT the Committee of Selection shall, after the name of any Member shall have been added by them to the Speaker's List, direct the Clerk attending them to give notice as soon as possible to such Member of his Name having been so added, and of the time when the Committee on the Bill shall have been appointed to meet.

Notice to Selected Members.

53.

THAT the Committee of Selection shall consider no Bill as an opposed Private Bill where no Petition has been presented in which the Petitioners pray to be heard by themselves, their Counsel or Agents, unless in cases where the Chairman of Ways and Means shall have reported to The House that in his opinion any Bill should be so treated.

What Bills not to be considered opposed.

54.

THAT the Committee of Selection shall refer every unopposed Private Bill referred to them, and which shall have originated in this House, to the Chairman of the Committee of Ways and Means, together with the Members ordered to prepare and bring in the Bill; and shall refer every unopposed Private Bill referred to them, which shall have been brought from the House of Lords, to the Chairman of the Committee of Ways and Means, together with not less than *Two* other Members, to be named by the Committee of Selection.

Unopposed Bills to be referred to the Chairman of Ways and Means, &c.

55.

THAT the Committee of Selection shall, subject to the order that there be *Seven* clear days between the Second Reading of every Private Bill and the Sitting of the Committee thereupon, fix the time for holding the *First Sitting* of every Committee on a Private Bill referred to them; but in the case of unopposed Private Bills, after communication with the Members who are to form the Committee on such Bill.

Committee of Selection to appoint First Sitting of Committee.

56.

THAT no Postponement of the First Sitting of any Committee on a Private Bill shall take place, unless such Postponement, and the Duration of it, shall have been sanctioned by the Committee of Selection.

Postponement of First Sitting.

Committee on the Bill.

DUTY OF THE COMMITTEE ON THE BILL.

Orders specially relating to the Committee on an Opposed Bill.

57.

That each Member appointed to serve as a Member of a Committee on an opposed Private Bill, whether he be on the Speaker's List or one of the Selected Members, before he be entitled to attend and vote on such Committee, shall (according to the class to which he may belong) sign one of the following Declarations. Members of Committee to sign Declaration.

58.

That the following shall be the several Forms of Declaration :— Declaration of Member on Speaker's List.

No. 1.—Declaration of a Member whose Name is on the List prepared under the direction of Mr. Speaker for . . .

I, A. B., being one of the Members whose name is on the List prepared under the direction of Mr. Speaker, to which List the Bill for . . . . . has been committed, do hereby declare, That I will never vote on any question which may arise without having duly heard and attended to the Evidence relating thereto.

Memorandum.—*The Declaration, signed as aforesaid, must be delivered to the Clerk of the Committee on the Bill before the Committee shall proceed to appoint a Chairman, otherwise the Member signing the same shall not be entitled to attend or vote.*

No. 2.—The Declaration of a Member whose Name has been added to the List prepared under the direction of Mr. Speaker by the Committee of Selection, his constituents having no local interest in the Bill for . . . . . Declaration of selected Member

I, C. D., being one of the Members selected and added to the List by the Committee of Selection, to which List the Bill for . . . . . has been committed, do hereby declare, That my constituents have no local interest, and that I have no personal interest, in such Bill; and that I will never vote on any question which may arise without having duly heard and attended to the Evidence relating thereto.

Memorandum.—*The Declaration, signed as aforesaid, must be delivered to the Clerk of the Committee on the Bill before the Committee shall proceed to appoint a Chairman, otherwise the Member signing the same shall not be entitled to attend or vote.*

59.

That the Committee Clerk shall furnish to each Member appointed to serve on a Committee on a Private Bill, who shall apply for the same, a Form of one of the above Declarations, according to the class to which the Member may belong; and Form of Declaration supplied by Clerk.

Committee on the Bill.

that such application shall be made to the Committee Clerk, either in the Committee Clerks' Office, previous to the time when the Committee shall have been appointed to meet, or in the Committee Room, previous to the door thereof being locked, as hereinafter directed.

60.

When Member not entitled to attend or vote.

THAT no Member shall be entitled to attend or vote in a Committee on an opposed Private Bill, who shall not have delivered his Declaration to the Clerk, previous to the time when the door of the Committee Room shall be locked for the appointment of the Chairman, and who shall not have been present at such appointment.

61.

Quorum to be always present.

THAT Five Members (including the Quorum of Selected Members) shall be the Quorum of every Committee on an opposed Private Bill, and that no such Committee shall proceed to business, or continue their inquiry or deliberations, unless such number of Members appointed and duly qualified to serve on such Committee shall be present.

62.

When Proceedings of Committee to commence.

THAT so soon after the expiration of *ten minutes*, and not sooner, after the time appointed for the first sitting of a Committee on an opposed Private Bill, as there shall be present at least *Five* Members appointed and duly qualified to serve on such Committee (including a Quorum of Selected Members), the Clerk shall direct the Messenger in attendance on the Committee to clear the room of all strangers, and to lock the door of the Committee Room; and the Members then present shall proceed to appoint a Chairman.

63.

Chairman to be a Selected Member.

THAT the Member to be appointed the Chairman of each Committee on an opposed Private Bill shall be one of the Selected Members.

64.

Proceedings to be suspended if Quorum not present.

THAT if at any time during the sitting of the Committee a Quorum of the Selected Members shall not be present, the Chairman of the Committee shall suspend the proceedings of such Committee until such Quorum shall be present; and that if at the expiration of *one hour* from the time fixed for the meeting of the Committee, or from the time when the Chairman shall so have suspended the proceedings of such Committee, a Quorum of the Selected Members shall not be present, the Chairman shall *adjourn* the Committee for any period not exceeding Two clear days, or to the day on which The House shall next thereafter meet, and report to The House the circumstances of the case.

65.

Absence of Quorum by Death or otherwise to be reported.

THAT if at any time after the Committee on a Bill shall have been formed, a Quorum of Members required by the Standing Orders cannot attend in consequence of any of the Members who

64.

The latter part of this Order has been amended by leaving out the words "until Twelve of the Clock of the day on which The House shall next meet," and inserting "for any period not exceeding Two clear days, or to the day on which The House shall next thereafter meet."

who shall have duly qualified to serve on such Committee having become incompetent to continue such service by having been placed on an Election Committee, or by death or otherwise, the Chairman shall report the circumstances of the case to The House, in order that such measures may be taken by The House as shall enable the Members still remaining on the Committee to proceed with the business referred to such Committee, or as the exigency of the case may require.

Committee on the Bill.

66.

That no Petition against a Private Bill be taken into consideration by the Committee on such Bill, which shall not distinctly specify the ground on which the Petitioners object to any of the provisions thereof; and that the Petitioners be only heard on such grounds so stated; and if it shall appear to the said Committee, that such grounds are not specified with sufficient accuracy, the Committee may direct that there be given in to the Committee a more specific Statement, in writing, but limited to such grounds of Objection so inaccurately specified.

Petition against Bill not to be considered except grounds of objection sufficiently specified.

67.

That no Petitioners against any Private Bill shall be heard before the Committee on the Bill, unless the Petition shall have been presented to this House *Three* clear *days* before the day appointed for the first meeting of such Committee, unless the Petitioners shall complain of any matter which may have arisen during the progress of the Bill before the said Committee.

Petition against Bill to be presented Three days before first day appointed for meeting.

Orders specially relating to the Committee on an Unopposed Bill.

68.

That the Chairman of the Committee of Ways and Means shall be the Chairman of the Committee on every unopposed Private Bill (not being a Divorce Bill), and that such Chairman and one of the other Members of the Committee shall be the Quorum thereof.

What Chairman to be appointed.

69.

That the Chairman of the Committee on every unopposed Private Bill (not being a Divorce Bill), shall be at liberty, at any period after such Bill shall have been referred to him and the other Members of the Committee, to report his opinion to The House (if he shall think fit), that such Bill should be treated as an opposed Private Bill; in which case such Bill shall be again referred to the Committee of Selection, and shall be dealt with by them as an opposed Private Bill.

Chairman at liberty to report that any Bill should be treated as opposed.

70.

That a filled-up Bill, signed by the Agent for the Bill, as proposed to be submitted to the Committee, be laid by him before such Chairman at the time of giving notice of the meeting of the Committee on the Bill, and that similar copies be also laid by the Agent for the Bill before the other Members of the said Committee *Three days* at the least before the *First Meeting* thereof.

Filled-up Bills to be laid before Chairman and Committee.

Committee on the Bill.

Orders relating to Committees on Bills, whether Opposed or Unopposed.

71.

Names of Members to be entered on Minutes.

That the Names of the Members attending each Committee be entered by the Clerk on the Minutes of the Committee; and if any Division shall take place in the Committee, the Clerk do take down the Names of Members voting in any such Division, distinguishing on which side of the question they respectively vote, and that such Lists be given in with the Report to The House.

72.

Committee on Bill not to inquire into certain Standing Orders.

That no Committee shall have power to examine into the compliance or non-compliance with such Standing Orders as are directed to be proved before the Select Committee on Petitions for Private Bills, unless by special order of The House.

73.

Standing Orders and Consents may be proved on Affidavit.

Scotland.

That in the case of any Private Bill relating to *Scotland*, the Committee may admit proof of the compliance with the Standing Orders of this House, and of the Consents of Parties concerned in interest in such Private Bill, on the production of Affidavits sworn before any Sheriff Depute or his Substitute there, whose Certificate shall be admitted as evidence of such proof having been made, unless the Committee shall require further evidence.

74.

Standing Orders and Consents may be proved on Affidavit.

Ireland.

That in the case of any Private Bill relating to *Ireland*, the Committee may admit proof of the compliance with the Standing Orders of The House, and of the Consents of Parties concerned in interest in such Private Bill, on the production of Affidavits sworn before any Judge or Assistant Barrister of that part of the United Kingdom, whose Certificate shall be admitted as evidence of such proof having been made, unless the Committee shall require further evidence.

75.

Consents in all other Cases.

That in all other instances, the Committee may admit proof of the Consents of Parties concerned in interest in any Private Bill, on the production of Certificates in writing of such Parties, whose Signature to such Certificate shall be proved by *one* or more Witnesses, unless the Committee shall require further Evidence.

76.

Clause compelling payment of Subscriptions.

That in all Bills presented to The House for carrying on any Work by means of a Company, Commissioners or Trustees, Provision be made for compelling Persons who have subscribed any Money towards carrying any such Work into execution, to make payment of the Sums severally subscribed by them.

77.

Provision to be made in Bills, by

That in all Bills whereby any Parties are authorized to levy Fees, Tolls or other Rate or Charge, Clauses be inserted, providing

76.

So much of this Order as related to taking security from the Treasurer, &c., has been transferred to the next Order.

77.

This Order has been extended so as to provide for the more efficient auditing of accounts.

Committee on the Bill.

viding for the following objects, except in so far as any of such objects shall have been provided for in some general Act applicable to the subject-matter of the Bill:—

which Tolls, &c. may be levied.

That security be taken from the Treasurer, Collector, or Receiver, and every other officer entrusted with the collection or custody of monies under the Bill, for the faithful execution of his office.

Security to be taken from Treasurer, &c.

That full and accurate Accounts be kept of all monies received and expended under the provisions of the Bill, and that such Accounts be balanced once in each year at the least.

Accounts to be kept.

That such Accounts be duly audited once in each year at the least, and that for such purpose an Auditor or Auditors be appointed by some person or persons not immediately connected with the Commissioners, Directors, Trustees, or other party, by whom, or by whose direction or authority, such Fees, Tolls, Rates or Charges shall be levied.

Accounts to be audited.

That for the purpose of auditing such Accounts, the Commissioners, Directors, Trustees or other such party as aforesaid be required to cause the Accounts, together with all their Books and Vouchers, to be produced to the Auditors.

Accounts, Vouchers, &c., to be produced to Auditors.

That the remuneration of the Auditor, and his expenses, be defrayed out of the funds levied under the Bill.

Remuneration to Auditors.

That an annual Account, in abstract, be prepared of the total Receipts and Expenditure of all funds levied under such Bill for the past year, under the several distinct heads of Receipts and Expenditure, with a Statement of the Balance of the said Account duly audited and certified by the Chairman of the Commissioners, Directors, Trustees or other parties aforesaid, and also by the Auditors thereof; and that a copy of such annual Account be transmitted, free of charge, to the Clerk of the Peace (or in Scotland to the Sheriff Clerk) for the County, or to the Clerk of the City or Borough within which the chief Office for the management of such funds shall be situated, on or before the *Thirty-first* day of *January* in each year, under a sufficient Penalty for not preparing and sending in the said Account, to be levied by summary process; the said Account to be open at all seasonable hours to the inspection of the Public upon payment of a Fee.

Account to be annually transmitted to Clerk of Peace.

78.

THAT where the level of any Road shall be altered in making any Public Work, the ascent of any Turnpike Road shall not be more than one foot in 30 feet; and of any other public Carriage Road not more than one foot in 20 feet; and that a good and sufficient fence, of four feet high at the least, shall be made on each side of every Bridge which shall be erected.

Level of Roads.

Fence to Bridges.

79.

THAT every Plan, and Book of Reference thereto, which shall be produced in evidence before the Committee upon any Private Bill (whether the same shall have been previously lodged in the Private Bill Office, or not,) shall be signed by the Chairman

Plan, &c., to be signed by Chairman.

Committee on the Bill.

man of such Committee with his Name at length; and he shall also mark with the Initials of his Name every Alteration of such Plan and Book of Reference, which shall be agreed upon by the said Committee; and every such Plan and Book of Reference shall thereafter be deposited in the Private Bill Office.

80.

Committee Bill and Clauses to be signed by Chairman.

THAT the Chairman of the Committee do sign, with his Name at length, a printed Copy of the Bill (to be called the Committee Bill) on which the Amendments are to be fairly written; and also sign, with the Initials of his Name, the several Clauses added in the Committee.

81.

Chairman to report on allegations of Bill, &c.

THAT the Chairman of the Committee upon every Private Bill shall report to The House, that the Allegations of the Bill have been examined; and whether the Parties concerned have given their Consent (where such Consent is required by the Standing Orders) to the satisfaction of the Committee.

82.

Committee to report Bill in all cases.

THAT every Committee to whom any Private Bill shall have been referred shall report the Bill to The House, whether such Committee shall or shall not have agreed to the Preamble, or gone through the several Clauses, or any of them.

83.

Minutes of Committee.

THAT the Minutes of the Committee on every Private Bill be brought up and laid on the Table of The House, with the Report of the Bill.

Railway Bills.

84.

Restrictions as to Mortgage.

THAT in the case of a Railway Bill, no Company shall be authorized to raise, by Loan or Mortgage, a larger sum than *One-third* of their capital; and that, until *Fifty per cent.* on the whole of the capital shall have been paid up, it shall not be in the power of the Company to raise any Money by Loan or Mortgage.

85.

Level of Roads.

THAT where the level of any Road shall be altered in making any Railway, the ascent of any Turnpike Road shall not be more than one foot in 30 feet; and of any other public Carriage Road not more than one foot in 20 feet; and that a good and sufficient fence, of four feet high at the least, shall be made on each side of every Bridge which shall be erected.

Fence to Bridges.

86.

Railways not to cross Turnpike Roads, &c., on same Level.

THAT no Railway whereon Carriages are propelled by Steam shall be made across any Turnpike Road or other public Carriageway on the level, unless the Committee on the Bill report that such a restriction ought not to be enforced, with the reasons and facts upon which their opinion is founded.

87. THAT

81.

This Order has been amended by leaving out the words "that the Chairman of the Committee, upon the Report of every Private Bill, do acquaint The House," and inserting "that the Chairman of the Committee on every Private Bill shall report to The House."

87. Committee on the Bill.

That in the case of a Railway Bill, the Committee report specially:—

1. The proposed Capital of the Company formed for the execution of the project, and the amount of any Loans which they may be empowered to raise by the Bill. Capital.

2. The amount of Shares subscribed for, and the Deposits paid thereon. Shares, &c.

3. The Names and Places of Residence of the Directors or Provisional Committee, with the amount of Shares taken by each. Names, &c., of Directors.

4. The number of Shareholders who may be considered as having a local interest in the line, and the amount of Capital subscribed for by them. Local Shareholders.

5. The number of other Parties, and the Capital taken by them. Other parties, &c.

6. The number of Shareholders subscribing for 2,000*l.* and upwards, with their Names and Residences, and the amount for which they have subscribed. Subscribers for 2,000*l.* and upwards.

7. The sufficiency or insufficiency for Agricultural, Commercial, Manufacturing or other purposes, of the present means of conveyance, and of communication between the proposed termini, stating the present amount of traffic by land or water, the average charges made for Passengers and Goods, and time occupied. Present means of conveyance.

8. The number of Passengers, and the weight and description of the Goods expected upon the proposed Railway. Passengers, &c., expected.

9. The amount of Income expected to arise from the conveyance of Passengers and Goods, and in what proportion; stating also generally the description of Goods from which the largest revenue is anticipated. Income expected.

10. Whether the proposed Railway be a complete and integral line between the termini specified, or a part of a more extended plan now in contemplation, and likely to be hereafter submitted to Parliament, and to what extent the calculations of remuneration depend on such contemplated extension of the line. Whether Railway be a complete Line, or part of a more extended Plan.

11. Whether any, and what, competing lines of Railway there are existing, and whether any, and what, are in progress or contemplation, and to state, so far as circumstances will permit, in what respects the proposed line is superior or inferior to the other lines; but that no line of Railway be deemed a competing line in contemplation, unless the Plan, Section and Book of Reference for the same shall have been deposited with the Clerks of the Peace and in the Private Bill Office respectively, as required by the Standing Orders. Competing Lines.

12. What planes on the Railway are proposed to be worked, either by assistant engines, stationary or locomotive, with the respective lengths and inclinations of such planes. Assistant Engines.

13. Any peculiar engineering difficulties in the proposed line, and the manner in which it is intended they should be overcome. Engineering difficulties.

14. The length, breadth, and height, and means of ventilation, of any proposed tunnels, and whether the strata through which they are to pass are favourable or otherwise. Ventilation of Tunnels.

 15. Whether

Committee on the Bill.

Gradients and Curves.

15. Whether in the lines proposed, the gradients and curves are generally favourable or otherwise, and the steepest gradient, exclusive of the inclined planes above referred to, and the smallest radius of a curve.

Length of Line.

16. The length of the main line of the proposed Railway, and of its branches respectively.

Passing Highways on a level.

17. Whether it be intended that the Railway should pass on a level any Turnpike Road or Highway, and if so, to call the particular attention of The House to that circumstance.

Estimates.

18. The amount of the Estimates of the cost or other expenses to be incurred up to the time of the completion of the Railway, and whether they appear to be supported by evidence, and to be fully adequate for the purpose.

Annual Expenses.

19. The estimated charge of the Annual Expenses of the Railway when completed, and how far the calculations on which the charge is estimated have been sufficiently proved.

Revenue in reference to annual charge.

20. Whether the calculations proved in evidence before the Committee have satisfactorily established that the Revenue is likely to be sufficient to support the Annual Charges of the maintenance of the Railway, and still allow profit to the Projectors.

Assents.

21. The number of assents, dissents and neuters upon the line, and the length and amount of Property belonging to each class traversed by the said Railway, distinguishing Owners from Occupiers; and in the case of any Bill to vary the original Line, the above particulars with reference to such Parties only as may be affected by the proposed deviation.

Engineers examined.

22. The Name of each Engineer examined in support of the Bill, and of any examined in opposition to it.

Petitions in opposition.

23. The main allegations of every Petition which may have been referred to the Committee in opposition to the Preamble of the Bill, or to any of its Clauses; and whether the allegations have been considered by the Committee, and if not considered, the cause of their not having been so.

Fitness in an engineering point of view, and any other circumstances.

And the Committee shall also report generally as to the fitness, in an engineering point of view, of the projected line of Railway, and any circumstances which, in the opinion of the Committee, it is desirable The House should be informed of.

88.

THAT in all Railway Bills there be inserted the following Clauses:

Railway not to be proceeded with till certain Plans, &c., deposited.

"And be it further Enacted, That it shall not be lawful for the said Company to proceed in the execution of the said Railway hereinbefore authorized to be made unless the said Company shall have, previously to the commencement of such Work, deposited with the Clerk of the Peace of the several counties in *England* or *Ireland*, and in the Office of the Principal Sheriff-Clerk in every county in *Scotland*, in or through which the said Railway hereby authorized to be made is intended to pass, a Plan and Section of all such alterations from the original Plan and Section as shall have been approved of by Parliament, on the same scale and containing the same particulars as the original Plan and Section

Section of the Railway; and also with the Clerks of the several Parishes in *England*, the Schoolmasters of the several Parishes in *Scotland*, (or in Royal Burghs with the Town Clerk), and the Postmasters of the Post-towns in or nearest to such Parishes in *Ireland*, in or through which such alterations shall have been authorized to be made, copies or extracts of or from such Plans and Sections as shall relate to such Parishes respectively; and all persons interested shall have liberty to inspect and make extracts from or copies of the said Plans and Sections, or extracts or copies thereof, paying to the Officer having the custody of such Plan and Section, or of such extract or copy, the sum of One Shilling for every such inspection, and after the rate of Sixpence for every One hundred words copied therefrom."

Limiting Deviations from Datum Line described on the Section, &c.

"And be it further Enacted, That in making the said Railway it shall not be lawful for the said Company to deviate from the Levels of the said Railway as referred to the common Datum Line described on the Section so approved of by Parliament, and as marked on the same, to any extent exceeding in any place *Five Feet*, or in passing through Towns *Two Feet*, without the consent of the Owners, Lessees, and Occupiers of the Land in, through or over which such deviation is intended to be made; or in case any Street or public Carriage Road shall be affected by such deviation, then the same shall not be made without the consent of the Trustees or Commissioners, or, if there be no such Trustees or Commissioners, without the consent of *Two* or more Justices of the Peace in Petty Sessions assembled for that purpose, and acting for the district in which such Street or public Carriage Road may be situate, or without the consent of the Commissioners for any public Sewers, or the proprietors of any Canal or Navigation affected by such deviation; and that no increase in the inclination or gradients of the said Railway, as denoted by the said Section, shall be made in any place to an extent exceeding the rate of *Three Feet* per Mile; and where in any place it is intended to carry the Railway on an Arch or Arches, as marked on the said Plan or Section, the same shall be made accordingly; and where a Tunnel is marked on the said Plan or Section as intended to be made at any place, the same shall be made accordingly, unless the Owners, Lessees, and Occupiers of the Land in or through which such Tunnel is intended to be made shall consent that the same shall not be so made: Provided nevertheless, That it shall be lawful for the said Company, with such consent as aforesaid, and not otherwise, to make a Tunnel or an Arch or Arches as aforesaid not marked on the said Plan or Section, so that no such Tunnel shall be of greater length than *Two hundred Yards*, and that no two Tunnels be at a less distance from each other than *One hundred Yards* measured on the Line of the Railway: Provided always, That Notice of every Petty Sessions to be holden for the purpose of obtaining such consent as aforesaid shall, *Fourteen Days* previous to the holding of such Petty Sessions, be given in some Newspaper circulating in the county, and also to be affixed upon the Church-door of the Parish in which such deviation or alteration is intended to be made, or if there be no Church, some other place to which Notices are usually affixed: And provided also, That for the purpose of consenting to any such deviation from the said Sections, and to any Tunnelling or Arching as aforesaid, the word "Owners" shall be deemed and taken to mean such persons as are herein capaci-

Committee on the Bill.

tated to agree for the sale of and to convey Land for the making of the said Railway; and the consent of such persons, with or without the consent of any other persons interested as Owners in the said Lands, shall be deemed and taken to be sufficient for such purposes.

Limiting Alteration of Curves.

"And be it further Enacted, That it shall not be lawful to diminish the radius of any curve as described on the Plan deposited with the Clerk of the Peace, or Principal Sheriff-Clerk, unless such radius exceed one mile, nor to diminish it in any such case so that it shall become less than one mile, nor to diminish any greater radius by more than a quarter of a mile, unless where it exceeds two miles, or by more than half a mile, unless where it exceeds three miles on the said Plan."

Letters Patent.

89.

Copy of Letters Patent to be annexed to the Bill.

THAT when any Bill shall be brought into The House, for confirming of Letters Patent, there be a true Copy of such Letters Patent annexed to the Bill.

Inclosure and Drainage Bills.

90.

Notices and Allegations.

THAT in the case of any Bill for inclosing Lands, the Committee may admit proof of the Notices required by the Standing Orders, and of the Allegations in the Preamble of such Bill, by Affidavit taken and authenticated, according to the form prescribed in the Gen. Inc. Act. Schedule to the General Inclosure Act (41 GEO. III. c. 109,) unless such Committee shall otherwise order.

91.

Consent Bill and Statement of Property to be delivered in.

THAT the Committee on every Bill for inclosing Lands shall in the first place require the Agent for the same to deliver in to the Committee a printed copy of the Bill, signed by the Lord of the Manor, (in cases where the Lord of the Manor has any interest as such in the lands to be inclosed) and by such Owners of Property within the Parish to which the Bill relates as shall have assented thereto; but that the Parties, if they shall think fit, be permitted to deliver in different copies of the Bill, separately signed by the several Parties hereinbefore mentioned, instead of one copy, signed by all of them collectively; together with a List of all the Owners of Property within such Parish, showing the value according to the Poor Rate or Land Tax Assessment of each Owner's Property therein, and distinguishing which of them have assented, dissented, or are neuter in respect thereto.

92.

Consent Bill and Statement of Property to be delivered in.

THAT the Committee on every Bill for draining Lands shall in the first place require the Agent for the same to deliver in to the Committee a printed copy of the Bill, signed by such Owners and Occupiers of Property within the Parish to which the Bill relates as shall have assented thereto; but that the Parties, if they shall think fit, be permitted to deliver in different copies of the Bill, separately signed by the several Parties hereinbefore mentioned, instead of one copy, signed by all of them collectively;

91.

After the words "Lord of the Manor," in the fourth line, the words "in cases where the Lord of the Manor has any interest as such in the lands to be inclosed," have been introduced.

92.

This is a new Order, similar to the last, but adapted only to Drainage Bills.

Committee on the Bill.

collectively; together with a List of all the Owners of Property within such Parish, showing the value according to the Poor Rate or Land Tax Assessment of each Owner's Property therein, and distinguishing which of them have assented, dissented, or are neuter in respect thereto.

93.

Clause for leaving open Space for exercise and recreation.

That in every Bill for inclosing Lands, provision be made for leaving an open space in the most appropriate situation, sufficient for purposes of exercise and recreation of the neighbouring population; and that the Committee on the Bill have before them the number of acres proposed to be inclosed, as also of the population in the parishes or places in which the land to be inclosed is situate; and also do see that provision is made for the efficient fencing of the allotment, for the investment of the same in the Churchwardens and Overseers of the parish in which such open space is reserved, and for the efficient making and permanent maintenance of the fences by such parish; and that in any case where the information hereby required is not given, and the required provisions are not made in the Bill, the Committee on the same do report specially to The House the reasons for not complying with such Order.

94.

Consent Bill to contain Names of Commissioners, and Compensations for Manorial Rights, Tithes, and Enfranchisements.

That in every Bill for inclosing Lands, the Names of the Commissioners proposed to be appointed, and the Compensation intended for the Lord of the Manor, and the Owners of Tithes, in lieu of their respective Rights, and also the Compensation intended to be made for the enfranchisement of Copyholds, where any Bargains or Agreements have been made for such Compensations, be inserted in the copy of the Bill presented to The House: And that all copies of such Bills which shall be sent to any of the Persons interested in the said Manor, Tithes, Lands or Commons, for their Consent, do contain the Names of such proposed Commissioners, and also the Compensations so bargained or agreed for.

95.

Disqualification of certain Persons as Commissioners, Surveyors, &c.

That no Person shall be named in any Bill for inclosing Lands as a Commissioner, Umpire, Surveyor or Valuer, who shall be interested in the Inclosure to be made by virtue of such Bill; or the Agent ordinarily intrusted with the care, superintendence, or management of the Estate of any Person so interested.

96.

Clauses for settling Pay of Commissioners, and passing their Accounts.

That in every Bill for inclosing, draining or improving Lands there be inserted a Clause, providing what sum of Money in the whole, or by the day, shall be paid to each of the Commissioners to be appointed by such Bill, in satisfaction of the expense and trouble which he shall incur in the execution of the powers thereby given; and that there be also inserted in such Bill a Clause, providing that the Account of such Commissioner or Commissioners, containing a true statement of all Sums by him or them received and expended or due to him or them for their own trouble or expenses, shall, at least once in every year, from the date of the passing of the Act till such Accounts shall be

Committee on the Bill.

finally allowed, together with the Vouchers relating to the same, be examined by some Person or Persons to be appointed by the Bill, and the Balance by him or them stated in the Book of Accounts required to be kept in the Office of the Clerk of such Commissioners; and that no charge or item in such Accounts shall be binding on the Parties concerned, or be valid in law, unless the same shall be duly allowed by such Person or Persons.

Turnpike Roads (Ireland).

97.

Clause for Qualification of Commissioners.

THAT in every Bill for making a Turnpike Road in Ireland, or for the continuing or amending any Act passed for that purpose, or for the increase or alteration of the existing Tolls, Rates or Duties upon any such Road, or for widening or diverting any such Road, a Clause be inserted, to prevent any Person who shall be nominated a Commissioner, from acting or voting in the business of the said Turnpike, unless he shall be possessed of an Estate in Land, or of a Personal Estate, to such certain value as shall be specified in such Bills; and that such Qualification be extended to the Heirs apparent of Persons possessed of an Estate in Land to a certain value to be specified.

Committee on Divorce Bill.

DUTY OF SELECT COMMITTEE ON DIVORCE BILLS.

98.

What Evidence to be given in Divorce Cases.

That the Select Committee on Divorce Bills shall require evidence to be given before them that an action for damages has been brought in one of Her Majesty's Courts of Record at Westminster, or in one of Her Majesty's Courts of Record in Dublin, or in one of Her Majesty's Supreme Courts of Judicature of the Presidencies of Calcutta, Madras, Bombay or the Island of Ceylon, respectively, against the persons supposed to have been guilty of Adultery, and judgment for the plaintiff had thereupon; or sufficient cause to be shown to the satisfaction of the said Committee why such action was not brought, or such judgment was not obtained.

99.

When Petitioner for Bill to attend Committee.

That the Select Committee on Divorce Bills shall, in all cases in which the Petitioner for the Bill has attended the House of Lords upon the Second Reading of the Bill, require him to attend before them to answer any questions they may think fit that he should answer.

100.

Committee to report Bill in all cases.

That the Select Committee on Divorce Bills shall report every such Bill to The House, whether such Committee shall or shall not have agreed to the Preamble, or gone through the several Clauses, or any of them.

III.

THE ORDERS REGULATING THE PRACTICE OF THE HOUSE WITH REGARD TO PRIVATE BILLS.

103, 105 and 106.

The provisions of these Orders have been brought from former heads, as being more suited to this place.

Practice of the House.

PRACTICE OF THE HOUSE WITH REGARD TO PRIVATE BILLS.

101.

Petition for Bill, and how to be signed.

THAT no Private Bill be brought into this House, but upon a Petition first presented, with a printed copy of the proposed Bill annexed: And that such Petition be signed by the Parties, or some of them, who are Suitors for the Bill.

102.

Petitions, when to be presented.

THAT all Petitions for Private Bills be presented within *Twenty-one* days after the *First Friday* in every Session of Parliament.

103.

Petitions for Private Bills, &c. and Lords' Bills to be referred to Committee on Petitions.

THAT all Petitions for Private Bills, with their annexed Bills, and all Petitions for additional Provision in Private Bills, with the proposed Clauses annexed, and all Estate Bills brought from the House of Lords, after having been read a First Time, shall be referred to the Select Committee on Petitions for Private Bills.

104.

Time between presentation of Petition and Meeting of Sub-Committee.

THAT there be *Ten* clear days between the day on which the Petition for any Private Bill relating to *England* shall be presented, and the day on which the Sub-Committee shall sit thereupon; and *Fifteen* days, in case such Bill shall relate to *Scotland* or *Ireland*.

105.

Reports that Standing Orders have not been complied with, to be referred to Committee on Standing Orders.

THAT all Reports of the Select Committee on Petitions for Private Bills, in which they shall report that the Standing Orders have not been complied with, be referred to the Select Committee on Standing Orders.

106.

Petitions for leave, &c. to be referred to Committee on Standing Orders.

THAT all Petitions for leave to dispense with any of the Sessional Orders of The House relating to Private Bills, be referred to the Select Committee on Standing Orders.

107.

Printed Bill to be presented.

THAT every Private Bill printed on paper, of a size to be determined upon by Mr. Speaker, be presented to The House, with a Cover of Parchment attached to it, upon which the Title of the Bill is to be written; and the short Title of the Bill, as first entered on the Votes, shall be in accordance with the subject matter of the Bill, and shall not be changed unless by special order of The House.

108.

Rates, Tolls and other Matters to be inserted in *Italics*.

THAT the proposed amount of all Rates, Tolls, and other matters heretofore left blank in any Private Bill when presented to The House, be inserted in *Italics* in the printed Bill.

109.

What Bills to be printed, and when.

THAT every Private Bill (except Name and Naturalization Bills) be printed; and printed copies thereof delivered to the door-keepers for the use of the Members before the First Reading.

110.

Time between First and Second Reading.

THAT there be *Three* clear *days* between the First and Second Reading of every Private Bill.

111.

No Petition complaining of Standing Orders—subsequent to Second Reading of Bills.

THAT this House will not receive any Petition complaining solely of a non-compliance with the Standing Orders of The House in respect of any Private Bill, subsequently to the Second Reading of such Bill, unless in the case of those Standing Orders which must necessarily be taken into consideration by the Committee on the Bill.

112.

Second Reading not to take place till Two Months after last Notice.

THAT no Private Bill be read a *Second* time, until after the expiration of *Two calendar months* from the day the last Notice shall have been given in the Newspaper.

113.

Breviate to be prepared.

THAT a Breviate of every Private Bill (except Divorce, Name, Naturalization, and Estate Bills, brought from the House of Lords, and not relating to Crown, Church or Corporation Property, or Property held in trust for public or charitable purposes) be prepared under the direction of Mr. Speaker, and that such Breviate shall contain a Statement of the Object of the Bill and a Summary of the proposed Enactments, and shall state any variation from the general law which will be effected by the Bill.

114.

Breviate to be laid on Table Three days before Second Reading of Bill.

THAT no Private Bill be read a *Second* time until *Three* clear *days* after the Breviate thereof shall have been laid on the Table of The House, and have been printed.

115.

When Fees to be paid.

THAT no Private Bill, or Clause, for the particular interest or benefit of any Person or Persons, County or Counties, Corporation or Corporations, or Body or Bodies of People, be read a Second time, unless Fees be paid for the same.

116.

Bills referred to Committee of Selection.

THAT every Private Bill, not being a Divorce Bill, after having been read a Second time and committed, shall be referred to the Committee of Selection; and every Divorce Bill shall be referred to the Select Committee on Divorce Bills.

117.

Time between Second Reading and Committee.

THAT there be *Seven* clear *days* between the Second Reading of every Private Bill, and the sitting of the Committee thereupon.

118.

Report of Bill when printed as amended, to lie on Table.

THAT the Report upon every Private Bill ordered to be printed as amended in Committee, shall lie upon the Table.

119. THAT

109.

The word "Divorce" has been omitted from the parenthesis in this Order.

113.

The words in the parenthesis have been introduced into this Order, and the words "and whether the title of the Bill is conformable to the Order of Leave" have been omitted.

114.

The words "(except Divorce, Name, Naturalization and Estate Bills, not relating to Crown, Church or Corporation Property, or Property held in Trust for Public or Charitable Purposes,)" have been omitted from this Order; and the words "the Breviate" have been substituted for "a Breviate."

116.

The words "and every Divorce Bill shall be referred to the Select Committee on Divorce Bills," have been added to this Order.

121 and 122.

These are new Orders.

123.

The word "opportunity" has been substituted for "time;" and the words "at Five o'Clock" have been omitted.

Practice of the House.

119.

Breviates of Bills amended in Committee to be laid before Chairman of Ways and Means, &c.

THAT a Breviate of the amendments made in every Committee on a Private Bill be submitted to the Chairman of the Committee of Ways and Means, and also laid upon the Table of The House at least the day previous to the consideration of the Report of such Bill.

120.

Bill to be printed after report.

THAT every Private Bill, as amended in Committee, excepting in the cases wherein the Committee shall report the amendments to be merely verbal or literal, be printed at the expense of the Parties applying for the same; and be delivered to the Doorkeepers for the use of the Members, *Three* clear *days* at least before the consideration of the Report.

121.

Clauses and Amendments proposed on Report or Third Reading to be referred to Select Committee on Standing Orders.

THAT when any Clause or Amendment is offered upon the Report, or the consideration of the Report, or the Third Reading of any Private Bill, such Clause or Amendment shall be referred to the Select Committee on Standing Orders: That such Clause shall be printed: And when any Clause is proposed to be amended, it shall be printed *in extenso*, with every addition or substitution in different type, and the omissions therefrom included in brackets.

122.

When referred, no further proceeding to be had until Report of Select Committee on Standing Orders.

THAT when any Clause or Amendment upon the Report, or the consideration of the Report, or the Third Reading of any Private Bill, shall have been referred to the Select Committee on Standing Orders, no further proceeding on either of such stages shall be had until the Report of the said Select Committee shall have been brought up.

123.

Reports on Railway Bills to be discussed upon every Tuesday.

THAT in order to afford opportunity for the proper discussion of the *Reports* on *Railway Bills* included in the second class, this House will upon *every Tuesday* proceed to the consideration of Reports on such Bills.

124.

Bill not to proceed two stages on same day.

THAT no Private Bill shall pass through two stages on one and the same day without the special leave of The House.

125.

Notice to be given of motion for dispensation.

THAT (except in cases of urgent and pressing necessity) no motion be made to dispense with any Sessional or Standing Order of The House without due notice thereof.

IV.

THE ORDERS REGULATING THE PRACTICE IN THE PRIVATE BILL OFFICE.

128.

This is a new Order, founded on a Resolution of The House in the last Session.

129.

After Sub-Committee, in the fourth line, the words "on a Petition for additional Provision, or" have been introduced; and at the end of the Order the words "and that no such Notices respectively be given until after such Petition shall have been presented, or such Estate Bill read a First Time" have been added.

130.

After the words "a Private Bill," in the fourth line, the words "or on a Petition for additional Provision" have been introduced.

Practice in the Private Bill Office.

PRIVATE BILL OFFICE.

126.

THAT a Book, to be called "THE PRIVATE BILL REGISTER," be kept in a Room, to be called "THE PRIVATE BILL OFFICE," in which Book shall be entered by the Clerks appointed for the business of that Office, the Name, Description and Place of Residence of the Parliamentary Agent in Town, and of the Agent in the Country (if any) soliciting the Bill; and all the Proceedings, from the Petition to the passing of the Bill:—Such Entry to specify, briefly, each day's Proceeding in The House, or in any Committee to which the Bill or Petition may be referred; the day and hour on which the Committee is appointed to sit; the day and hour to which such Committee may be adjourned, and the name of the Committee Clerk. Such Book to be open to public inspection daily, in the said Office, between the hours of Eleven and Six.

Private Bill Office and Register.

127.

THAT all Plans, Sections, Books of Reference, Lists of Owners and Occupiers, Estimates, Copies of the Subscription Contracts, and Declarations required by the Standing Orders of The House, be lodged in the Private Bill Office; and that the receipt thereof be acknowledged accordingly, by one of the Clerks of the said Office, upon the said Documents, and upon the Petition, before it is presented.

Plans, &c. to be lodged.

128.

THAT a copy of every Bill annexed to a Petition be deposited in the Private Bill Office on the day of The Presentation of the Petition to The House; and that such Bill be open to the inspection of all parties.

Copy of Bill annexed to Petition to be deposited in Private Bill Office.

129.

THAT *Ten* clear *days'* notice in writing be given by the Agent for the Bill to the Clerks in the Private Bill Office of the meeting of any *Sub-Committee* on a Petition for a Private Bill, and *One* clear *day's* notice of the meeting of any Sub-Committee on a Petition for additional Provision, or on an Estate Bill brought from the House of Lords; and that no such notices respectively be given until after such Petition shall have been presented, or such Estate Bill read a First Time.

Notice of Meeting of Sub-Committee on Petition, &c.

130.

THAT *One* clear *day's* notice in writing be given by the Agent for the Bill, to the Clerks in the Private Bill Office, of the postponement of the first meeting of any Sub-Committee on a Petition for a Private Bill, or on a Petition for additional Provision, or on an Estate Bill brought from the House of Lords.

Notice of Postponement of Sub-Committee.

131.

THAT after each Private Bill has been read the First time, its Name (or short Title) shall be copied by the Clerks of the Private Bill Office, from the Clerk's Minute Book of the day, into a separate

Examination Book.

Practice in the Private Bill Office.

separate Book, to be called "THE EXAMINATION BOOK;"—wherein shall be noted the number of such Bill, according to the priority of its being read, and the date of the day of such First Reading.

132.

Custody of Bills.

THAT every Private Bill, after it has been read the First time, and the Title copied and examined for the Votes, be in the custody of the Clerks of the Private Bill Office, until laid upon the Table for the Second Reading; and when committed, be taken by the proper Committee Clerk into his charge, till reported.

133.

Examination of Bill and Breviate.

THAT between the First and Second Reading of every Private Bill, every such Bill shall, according to its priority, be examined, with all practicable despatch, by the Clerks of the Private Bill Office, as to its conformity with the Rules and Standing Orders of The House; and if *not* in due form, the Examining Clerk shall specify thereon the page in which any irregularity occurs, and shall enter the day of such Examination, together with his own Name, in the Examination Book.

134.

Notice of Second Reading.

THAT *Three* clear *days'* Notice in writing be given by the Agent for the Bill, to the Clerks in the Private Bill Office, of the day proposed for the Second Reading of every Private Bill.

135.

Notice of Committee.

THAT *Seven* clear *days'* Notice, and in the case of a re-committed Bill, *Three* clear *days'* Notice, in writing, be given by the Agent for the Bill, to the Clerks in the Private Bill Office, of the day and hour appointed for the meeting of the Committee on every Private Bill; and that all the proceedings of any Committee of which such Notice shall not have been given, be void.

136.

Filled-up Bill, to be deposited in Private Bill Office.

THAT a filled-up Bill, signed by the Agent for the Bill, as proposed to be submitted to the Committee on the Bill, and in the case of a re-committed Bill, a filled-up Bill, as proposed to be submitted to the Committee on re-committal, be deposited in the Private Bill Office at the time of giving notice of the meeting of the Committee on every Private Bill; and that all Parties shall be entitled to a Copy thereof, upon payment of the Charges for making out Amendments of such Bill.

137.

Notice of Postponement.

THAT *One* clear *day*'s notice, in writing, countersigned by a Committee Clerk, be given by the Agent for the Bill, to the Clerks in the Private Bill Office, of the postponement of the first meeting of any Committee on a Private Bill.

138.

Notice of Adjournment.

THAT Notice, in writing, be given by the Committee Clerk to the Clerks in the Private Bill Office, of the day and hour to which each Committee is adjourned.

139. THAT

139.

After the word "proposed," the words "for the Report of every Private Bill, and also" have been introduced.

141.

Such part of this Order as related to the depositing of Clauses or Amendments in the Private Bill Office has been omitted, the object being provided for in a new Order.

142.

At the end of the Order the words "and that no such Notice be given until after the Bill to which it relates shall have been reported, or the Report thereof considered," have been added.

143.

After "Third Reading," in second line, the words "and also such Amendments made by The House of Lords as shall have been agreed to by this House," have been introduced.

Practice in the Private Bill Office.

139.

Notice of consideration of Report.

THAT *One* clear *day*'s Notice, in writing, be given by the Agent for the Bill, to the Clerks in the Private Bill Office, of the day proposed for the Report of every Private Bill, and also for the consideration of the Report of every Private Bill ordered to lie upon the Table.

140.

Bill as amended in Committee to be delivered in.

THAT the Committee Clerk, after the Report is made out, do deliver in to the Private Bill Office a printed Copy of the Bill, with the written Amendments made in the Committee; in which Bill, all the Clauses added by the Committee shall be regularly marked in those parts of the Bill wherein they are to be inserted.

141.

Notice to be given of Clauses on consideration of Report or Third Reading.

THAT when it is intended to bring up any Clause or to propose any Amendment on the Report, or the consideration of the Report, or on the Third Reading of any Private Bill, Notice shall be given thereof, in the Private Bill Office, on the day previous to such consideration of the Report or Third Reading.

142.

Notice of Third Reading.

THAT *One* clear *day*'s Notice, in writing, be given by the Agent of the Bill, to the Clerks in the Private Bill Office, of the day proposed for the *Third Reading* of every Private Bill; and that no such Notice be given until after the Bill to which it relates shall have been reported, or the Report thereof considered.

143.

Amendments on consideration of Report and Third Reading.

THAT the Amendments (if any) which are made upon the consideration of the Report and upon the Third Reading, and also such Amendments made by the House of Lords as shall have been agreed to by this House, be entered by one of the Clerks in the Private Bill Office, upon the printed Copy of the Bill as amended in Committee; which Clerk shall sign the said Copy so amended, in order to its being deposited and preserved in the said Office.

144.

Examination of Ingrossments.

THAT to insure the Accuracy of the Ingrossment of all Private Bills, the Clerk of the House be required to provide a sufficient number of Clerks, to be called EXAMINERS of INGROSSMENTS.

145.

Certificate of Examination.

THAT no Private Bill be read a Third time until a Certificate is indorsed upon the Paper Bill, and signed by one or more of the Examiners of Ingrossments, declaring that the Ingrossment thereof has been examined, and agrees with the Bill, as amended in Committee, and on the consideration of the Report.

146.

Notice of consideration of Lords' Amendments.

THAT when Amendments made by the House of Lords to any Private Bill sent up to them are to be taken into consideration, Notice be given thereof in the Private Bill Office, the day previous to the same being proposed to be taken into consideration.

147.

Time for delivering Notices.

THAT all *Notices* required to be given in the Private Bill Office be delivered in the said Office before *Six* of the clock in the *Evening* of any day on which The House shall sit, and before *Two* of the Clock on any day on which The House shall not sit; and that after any day on which The House shall have adjourned, no Notice shall be given for the first day on which it shall again sit.

148.

Daily Lists of Committees sitting.

THAT the Clerks in the Private Bill Office do prepare, daily, Lists of all Private Bills, and Petitions for Private Bills upon which any Committee is appointed to sit; specifying the hour of meeting; and the Room where the Committee shall sit; and that the same be hung up in the Lobby of The House.

149.

Plans to be verified as Mr. Speaker shall direct.

THAT every Plan, and Book of Reference thereto, which shall be certified by The Speaker of the House of Commons, in pursuance of any Act of Parliament, shall previously be ascertained, and verified in such manner as shall be deemed most advisable by The Speaker, to be exactly conformable in all respects to the Plan and Book of Reference which shall have been signed by the Chairman of the Committee upon the Bill.

APPENDIX.

[Form referred to in Page 67.]

(A.)

No.

Sir,

We beg to inform you, that Application is intended to be made to Parliament in the ensuing Session for "An Act" [*here insert the Title of the Act*], and that the Property mentioned in the annexed Schedule, or some Part thereof, in which we understand you are interested as therein stated, will be required for the Purposes of the said Undertaking, according to the Line thereof as at present laid out, or may be required to be taken under the usual Powers of Deviation to the Extent of Yards on either side of the said Line which will be applied for in the said Act, and will be passed through in the Manner mentioned in such Schedule.

We also beg to inform you, that a Plan and Section of the said Undertaking, with a Book of Reference thereto, has been or will be deposited with the several Clerks of the Peace of the Counties of [*specify the Counties in which the Property is situate*], on or before the 30th of November, and that Copies of so much of the said Plan and Section as relates to the Parish in which your Property is situate, with a Book of Reference thereto, has been or will be deposited for public Inspection with the Clerk of the said Parish, Schoolmaster of the Parish, Town Clerk of the Royal Burgh, or the Postmaster of the Post Town in or near such Parish [*as the case may be*], on or before the 31st day of December instant, on which Plans your Property is designated by the Numbers set forth in the annexed Schedule.

As we are required to report to Parliament whether you assent to or dissent from the proposed Undertaking, or whether you are neuter in respect thereto, you will oblige us by writing your Answer of Assent, Dissent or Neutrality in the Form left herewith, and returning the same to us with your Signature on or before the day of next; and if there should be any Error or Misdescription in the annexed Schedule, we shall feel obliged by your informing us thereof, at your earliest convenience, that we may correct the same without delay.

We are, Sir,

Your most obedient servants,

To

SCHEDULE referred to in the foregoing Notice, and which is intended to show the Property therein alluded to, and the Manner in which the Line of the deposited Section will affect the same.

—	Parish, Township, Townland or Extra-parochial Place.	Number on Plans.	Description.	Owner.	Lessee.	Occupier.	Description of the Section of the Line deposited, and of the greatest Height of Embankment and Depth of Cutting.
Property in the Line as at present laid out.							

—	Parish, Township, Townland, or Extra-parochial Place.	Number on Plans.	Description.	Owner.	Lessee.	Occupier.	
Property within the Limits of the Deviation intended to be applied for.							

Appendix (B.)

ANNO PRIMO VICTORIÆ REGINÆ.

Cap. LXXXIII.

AN ACT to compel Clerks of the Peace for Counties and other Persons to take the Custody of such Documents as shall be directed to be deposited with them under the Standing Orders of either House of Parliament.

WHEREAS the Houses of Parliament are in the habit of requiring that, previous to the introduction of any Bill into Parliament for making certain bridges, turnpike-roads, cuts, canals, reservoirs, acqueducts, waterworks, navigations, tunnels, archways, railways, piers, ports, harbours, ferries, docks and other works, to be made under the authority of Parliament, certain maps or plans and sections, and books and writings, or extracts or copies of or from certain maps, plans or sections, books and writings, shall be deposited in the office of the clerk of the peace for every county, riding or division in England or Ireland, or in the office of the sheriff clerk of every county in Scotland, in which such work is proposed to be made, and also with the parish clerk in every parish in England, the schoolmaster of every parish of Scotland, or in Royal Burghs with the town clerk, and the postmaster of the post town in or nearest to every parish in Ireland, in which such work is intended to be made, and with other persons: And whereas it is expedient that such maps, plans, sections, books, writings and copies or extracts of and from the same, should be received by the said clerks of the peace, sheriff clerks, parish clerks, schoolmasters, town clerks, postmasters and other persons, and should remain in their custody for the purposes hereinafter mentioned; BE it therefore Enacted by The Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, That whenever either of the Houses of Parliament shall by its Standing Orders, already made or hereafter to be made, require that any such maps, plans, sections, books or writings, or extracts or copies of the same, or any of them, shall be deposited as aforesaid, such maps, plans, sections, books, writings, copies and extracts shall be received by and shall remain with the clerks of the peace, sheriff clerks, parish clerks, schoolmasters, town clerks, postmasters and other persons with whom the same shall be directed by such Standing Orders to be deposited, and they are hereby respectively directed to receive and to retain the custody of all such documents and writings so directed to be deposited with them respectively, in the manner and for the purposes and under the rules and regulations concerning the same respectively directed by such Standing Orders, and shall make such memorials and endorsements on and give such acknowledgments and receipts in respect of the same respectively as shall be thereby directed.

Clerks of the Peace, &c. to receive the Documents herein mentioned, and retain them for the purposes directed by the Standing Orders of the Houses of Parliament.

II. And be it further Enacted, That all persons interested shall have liberty to, and the said clerks of the peace, sheriff clerks, parish clerks, schoolmasters, town clerks and postmasters, and every of them, are and is hereby required, at all reasonable hours of the day, to permit all persons interested to inspect during a reasonable time and make extracts from or copies of the said maps, plans, sections, books, writings, extracts and copies of or from the same, so deposited with them respectively, on payment by each person to the clerk of the peace, sheriff clerk, clerk of the parish, schoolmaster, town clerk or postmaster having the custody of any such map, plan, section, book, writing, extract or copy, One Shilling for every such inspection, and the further sum of One Shilling for every hour during which such inspection shall continue after the first hour, and after the rate of Sixpence for every One hundred words copied therefrom.

Clerks of the Peace, &c. to permit such Documents to be inspected or copied by persons interested.

III. And be it further Enacted, That in case any clerk of the peace, sheriff clerk, parish clerk, schoolmaster, town clerk, postmaster or other person, shall in any matter or thing refuse or neglect to comply with any of the provisions hereinbefore contained, every clerk of the peace, sheriff clerk, parish clerk, schoolmaster, town clerk, postmaster or other person shall for every such offence forfeit and pay any sum not exceeding the sum of Five Pounds; and every such penalty shall, upon proof of the offence before any Justice of the Peace for the county within which such offence shall be committed, or by the confession of the party offending, or by the oath of any credible witness, be levied and recovered, together with the costs of the proceedings for the recovery thereof, by distress and sale of the goods and effects of the party offending, by warrant under the hand of such Justice, which warrant such Justice is hereby empowered to grant, and shall be paid to the person or persons making such complaint; and it shall be lawful for any such Justice of the Peace to whom any complaint shall be made of any offence committed against this Act to summon the party complained of before him, and on such summons to hear and determine the matter of such complaint in a summary way, and on proof of the offence to convict the offender, and to adjudge him to pay the penalty or forfeiture incurred, and to proceed to recover the same, although no information in writing or in print shall have been exhibited or taken by or before such Justice; and all such proceedings by summons without information shall be as good, valid and effectual to all intents and purposes as if an information in writing had been exhibited.

Clerks of the Peace, &c. for every omission to comply with the provisions of this Act, liable to the Penalty of 5 *l.*, to be recovered in a summary way.

Appendix.

Appendix (C.)

ANNO PRIMO & SECUNDO VICTORIÆ REGINÆ.

Cap. CXVII.

AN ACT to provide for the Custody of certain Monies paid in pursuance of the Standing Orders of either House of Parliament by Subscribers to Works or Undertakings to be effected under the Authority of Parliament.

WHEREAS it is expedient to provide for the custody of any sums of money paid in pursuance of any Standing Order of the Lords Spiritual and Temporal in Parliament assembled, or of the Commons in Parliament assembled, by subscribers to works or undertakings to be made under the authority of an Act of Parliament; BE it therefore Enacted by The Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, That in all cases in which any sum of money is required by any Standing Order of either House of Parliament, either now or hereafter to be in force, to be paid by the subscribers to any work or undertaking which is to be executed under the authority of an Act of Parliament, if the director or person or directors or persons having the management of the affairs of any such proposed work or undertaking, or any Five of them, shall apply to the Chairman of the Committees of the House of Lords with respect to any such money required by any Standing Order of the Lords Spiritual and Temporal in Parliament assembled, or to The Speaker of the House of Commons with respect to any such money required by any Standing Order of the Commons in Parliament assembled, the said Chairman or the said Speaker may, by warrant or order under his hand, direct that such sum of money shall be paid in manner hereinafter mentioned; that is to say, into the Bank of England in the name and with the privity of the Accountant-general of the Court of Exchequer in England, if the work or undertaking in respect of which the sum of money is required to be paid is intended to be executed in that part of the United Kingdom called England; or into the Bank of England in the name and with the privity of the said Accountant-general, or into any of the Banks in Scotland established by Act of Parliament or Royal Charter in the name and with the privity of The Queen's Remembrancer of the Court of Exchequer in Scotland, at the option of the person or persons making such application as aforesaid, in case such work or undertaking is intended to be executed in that part of the United Kingdom called Scotland; or into the Bank of Ireland in the name and with the privity of the Accountant-general of the Court of Chancery in Ireland, in case such work or undertaking is intended to be made or executed in that part of the United Kingdom called Ireland; and every such application as aforesaid to the said Chairman or Speaker shall be made in writing, and be signed by the director or directors or person or persons having the management of the said work or undertaking, or by any Five of them; and therein shall be stated the name or description of such work or undertaking, and name and place of abode or the names and places of abode of such director or directors, person or persons, and the sum of money required to be paid, and the bank and name into and in which the same is to be paid; and such particulars shall also be set forth in every such warrant or order; and such warrant or order shall be a sufficient authority for the Accountant-general of the said Court of Exchequer in England, the Queen's Remembrancer of the Court of Exchequer in Scotland, and the Accountant-general of the Court of Chancery in Ireland respectively, to permit the sum of money directed to be paid by such warrant or order to be placed to an account opened or to be opened in his name in the Bank mentioned in such warrant or order.

Authority to deposit.

Payment of Deposit.

II. And be it Enacted, That it shall be lawful for the person or persons named in such warrant or order, or the survivors or survivor of them, or any Five of them, to pay the sum of money mentioned in such warrant or order into the Bank mentioned in such warrant or order in the name and with the privity of the officer or person in whose name such sum shall be directed to be paid by such warrant or order, to be placed to his account there ex-parte the work or undertaking mentioned in such warrant or order; and every such sum so paid in, or the securities in or upon which the same may be invested as hereinafter mentioned, shall there remain until the same or such securities as aforesaid shall be paid out of such Bank in pursuance of the provisions of this Act: Provided always, That every sum paid into the Bank of England in the name and with the privity of the Accountant-general of the Court of Exchequer under the provisions of this Act, shall be paid in and placed to his account there pursuant to the method prescribed by an Act passed in the first year of the reign of his late Majesty King George the Fourth, intituled, "An Act for the better securing Money and Effects paid into the Court of Exchequer at Westminster on account of the Suitors of the said Court, and for the Appointment of an Accountant-general and Two Masters of the said Court, and for other Purposes, and pursuant to the General Orders of the said Court, and without Fee or Reward;" and every sum paid into the Bank of Ireland in the name and with the privity of the Accountant-general of the Court of Chancery in Ireland, under the provisions of this Act, shall

1 G. 4. c. 35.

shall be paid in and placed to his account pursuant to the method prescribed by an Act made and passed in the Parliament of Ireland in the twenty-third and twenty-fourth years of the reign of his late Majesty King GEORGE the Third, intituled, "An Act for the better securing the Monies and Effects of the Suitors of the Court of Chancery and Exchequer, by depositing the same in the National Bank, and to prevent the forging and counterfeiting any Draft, Order or other Voucher for the payment or Delivery of such Money and Effects, and for other Purposes," and pursuant to the general orders of the said Court, and without fee or reward. 23 & 24 G. 3. (I.)

III. And be it Enacted, That if the person or persons named in such warrant or order, or the survivor or survivors of them, or any Five of them, desire to have invested any sum so paid into the Bank of England or the Bank of Ireland, the court in the name of whose Accountant-general the same may have been paid, on a petition presented to such court in a summary way by him or them, may order that such sum shall, until the same be paid out of court in pursuance of this Act, be laid out in the Three per Centum Consolidated or Three per Centum Reduced Bank Annuities, or any Government security or securities. Investment of Deposit.

IV. And be it Enacted, That on the termination of the Session of Parliament in which the Petition or Bill for the purpose of making or sanctioning any such work or undertaking shall have been introduced into Parliament, or if such Petition or Bill shall be rejected or finally withdrawn by some proceeding in either House of Parliament, or shall not be allowed to proceed, or if an Act be passed authorizing the making of such work or undertaking; and if in any or either of the foregoing cases the person or persons named in such warrant or order, or the survivor or survivors of them, or the majority of such persons, apply by petition to the court in the name of whose Accountant-general the sum of money mentioned in such warrant or order shall have been paid, or to the Court of Exchequer in Scotland in case such sum of money shall have been paid in the name of the said Queen's Remembrancer, the court in the name of whose Accountant-general or Queen's Remembrancer such sum of money shall have been paid shall, by order, direct the sum of money paid in pursuance of such warrant or order, or the stocks, funds or securities in or upon which the same are invested, and the interest or dividends thereof, to be transferred and paid to the party or parties so applying, or to any other person or persons whom they may appoint in that behalf; but no such order shall be made in the case of any such Petition or Bill being rejected, or not being allowed to proceed, or withdrawn, unless it be proved by the certificate of the Chairman of Committees, if the said Petition or Bill was rejected or not allowed to proceed, or withdrawn in its passage through the House of Lords, or of the said Speaker, if the said Petition or Bill was rejected or not allowed to proceed, or withdrawn during its passage through the House of Commons, that the Petition or Bill has been either so rejected, or not allowed to proceed, or so withdrawn by some proceeding in one or other House of Parliament; which certificate the said Chairman or Speaker shall grant on the application in writing of the person or persons, or the majority of the persons, named in such warrant or order, or the survivor or survivors of them; and every such certificate shall be conclusive proof of such rejection, or not proceeding, or withdrawal. Repayment of Deposit.

REPORT

FROM THE

SELECT COMMITTEE

ON

STANDING ORDERS' REVISION;

WITH THE

MINUTES OF EVIDENCE,

APPENDIX,

AND

REVISED STANDING ORDERS.

Ordered, by The House of Commons, *to be Printed,*
10 *August* 1843.

[*Price* 1*s.* 6*d.*]

550.

Under 20 *oz.*

STANDING ORDERS

OF

THE HOUSE OF COMMONS.

1685—1843.

Ordered, by The House of Commons, *to be Printed,*
14 *August* 1843.

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ABSTRACT of STANDING ORDERS relating to the passing of PRIVATE BILLS through The HOUSE of COMMONS.

STAGES OF THE PROCEEDINGS.	NOTICES AND APPLICATIONS.	DEPOSITS.	INTERVALS TO BE OBSERVED.
Previous to the commencement of Proceedings in The House.	No. of Standing Order. 15.—Notice in the London, Edinburgh or Dublin Gazettes [as the case may be], and in some one and the same County Paper, in Three successive Weeks of October and November, or either of them.	No. of Standing Order. 23.—Deposit with the Clerk of the Peace, Plans, Sections and Books of Reference on or before the 30th of November. 27.—Deposit with the Parish Clerks, &c. &c., Parochial Plans, Sections and Books of Reference on or before the 31st of December.	No. of Standing Order.
Additional under special circumstances:		28.—Deposit in the Private Bill Office, Plans, Sections and Books of Reference on or before the 31st of December.	
If Lands or Houses to be taken.	17.—Application to Owners, Lessees and Occupiers on or before the 31st of December.		
If a First Class Bill -	18.—Notice on the Church Doors of all Parishes affected on Three successive Sundays in October and November, or either of them.	17.—Deposit in the Private Bill Office, Lists of Owners, Lessees and Occupiers, Estimates and Declarations, before the Presentation of the Petition.	
If to make a Burial Ground.	20.—Notice on the Church Doors of every adjoining Parish on Three successive Sundays in October and November, or either of them. 21.—Notice to the Owner and Occupier of every Dwelling-house within 300 Yards of the intended Burial Ground on or before the 31st of December.	44.—Deposit in the Private Bill Office, Copy of Deed of Partnership, or of Subscription Contract; also a Declaration.	
Presentation of the Petition for a Bill.	36.—Notice to Owners and Occupiers, if the Bill be to relinquish a work authorized by a former Act, before the Presentation of the Petition.	35.—Deposit in the Vote Office printed Copies of Subscription Contract, or of Declaration and Estimate, before the Presentation of the Petition.	102.—Petition to be presented within Twenty-one Days after the First Friday in the Session.
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ABSTRACT of Standing Orders relating to the passing of Private Bills through the House of Commons—*continued.*

STAGES OF THE PROCEEDINGS.	NOTICES AND APPLICATIONS.	DEPOSITS.	INTERVALS TO BE OBSERVED.
Committee on the Bill	No. of Standing Order. 135.—Notice in the Private Bill Office of the Meeting of the Committee, Seven clear Days.	No. of Standing Order. 136.—Deposit in the Private Bill Office a filled-up Bill, on giving Notice of the Committee.	No. of Standing Order. 117.—Between Second Reading and the Meeting of the Committee, Seven clear Days.
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Report - - -	139.—Notice in the Private Bill Office of the Report, and Consideration of the Report, One clear Day. 141.—Notice in the Private Bill Office of any Clause to be brought up, or Amendments to be made on the Report or Consideration of the Report, on the Day previous to such Report or Consideration.	120.—Deposit with the Door-keepers, Prints of the Bill as amended Three clear Days before the Report is considered.	
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Consideration of Lords' Amendments.	146.—Notice in the Private Bill Office of the Consideration of Lords' Amendments on the Day previous to such Consideration.		

I.

APPOINTMENT OF COMMITTEES.

Appointment of Committees.

STANDING ORDERS.

APPOINTMENT OF COMMITTEES.

1.

Committee on Petitions for Private Bills.

That a Committee be appointed at the commencement of every Session, consisting of *Forty-two* Members, of whom *Five* shall be a Quorum in opposed cases, and *Three* a Quorum in unopposed cases; and such Committee shall be denominated "The Select Committee on Petitions for Private Bills."

2.

Sub-Committees on Petitions for Private Bills.

That the Select Committee on Petitions for Private Bills have leave to divide themselves into Sub-Committees, each consisting of *Seven* Members at the least, and to make regulations for the transaction of business.

3.

Committee on Standing Orders.

That a Committee be appointed at the commencement of every Session, consisting of *Eleven* Members, including the Chairmen of the Committee and of the Sub-Committees on Petitions for Private Bills, of whom *Five* shall be a Quorum; and such Committee shall be denominated "The Select Committee on Standing Orders."

4.

Committee of Selection.

That a Committee be appointed at the commencement of every Session, consisting of the Chairman of the Select Committee on Standing Orders and of the Chairmen of the Committee and of the Sub-Committees on Petitions for Private Bills, of whom *Three* shall be a Quorum; and such Committee shall be denominated "The Committee of Selection."

5.

Committee on Opposed Private Bills.

That the Committee on every "Opposed Private Bill," not being a Divorce Bill, shall consist of the Members on The Speaker's List of that County or that Division of a County to which the Bill specially relates, and of such number of "Selected Members" not locally interested in the Bill in progress, and in such proportion, as the circumstances of each case shall in the judgment of the Committee of Selection require, of which Committee *Five* (including the Quorum of selected Members) shall be a Quorum.

Appointment of Committees.

6.

Committee on Unopposed Private Bills.

THAT the Committee on every "Unopposed Private Bill," not being a Divorce Bill, and which shall have originated in this House, shall consist of the Chairman of the Committee of Ways and Means, together with the Members ordered to prepare and bring in the Bill; and that the Committee on every "Unopposed Private Bill," not being a Divorce Bill, which shall have been brought from the House of Lords, shall consist of the Chairman of the Committee of Ways and Means, and of not less than *Two* other Members to be named by the Committee of Selection; and that the Chairman of the Committee of Ways and Means shall be the Chairman of the Committee on every "Unopposed Private Bill," not being a Divorce Bill; and that such Chairman and *One* of such other Members shall be the Quorum required to be present during the whole progress of the Bill through such Committee.

7.

Committee on Divorce Bills.

THAT a Committee be appointed at the commencement of every Session, consisting of not more than *Fifteen* Members, of whom *Five* shall be a Quorum; and such Committee shall be denominated "THE SELECT COMMITTEE ON DIVORCE BILLS."

8.

Members not to be added to Committee, except by special order.

THAT after any Committee on a Private Bill shall have been formed, no Members be added thereto, unless by special order of The House.

II.

DUTIES OF COMMITTEES.

Committee on Petitions.

DUTY OF THE SELECT COMMITTEE ON PETITIONS FOR PRIVATE BILLS.

9.

Compliance with Standing Orders to be proved before Sub-Committee.

THAT the compliance with the following Standing Orders shall be proved before one of the Sub-Committees of the Select Committee on Petitions for Private Bills, and any parties shall be at liberty to appear and be heard, by themselves, their agents and witnesses, upon any Petition which may be referred to such Committee, complaining of a non-compliance with the Standing Orders, provided the matter complained of be specifically stated in such Petition, and that such Petition be presented *Three* clear days before the first meeting of such Sub-Committee.

10.

Proof of Notices on Church-doors, where Bills relate to *England*.

THAT in the case of any application for a Private Bill relating to *England*, the Committee may admit proof of the compliance with the Standing Orders which refer to the affixing to the Church-doors the requisite Notices, on the production of affidavits sworn before any Justices in Petty Sessions assembled, for the division within which the Churches on which the Notices have been affixed shall be respectively situated.

11.

Standing Orders may be proved on Affidavit.

Scotland.

THAT in the case of any application for a Private Bill relating to *Scotland*, the Committee may admit proof of the compliance with the Standing Orders of this House, on the production of Affidavits sworn before any Sheriff Depute or his Substitute there, whose Certificate shall be admitted as evidence of such proof having been made, unless the Committee shall require further evidence.

12.

Standing Orders may be proved on Affidavit.

Ireland.

THAT in the case of any application for a Private Bill relating to *Ireland*, the Committee may admit proof of the compliance with the Standing Orders of The House, on the production of Affidavits sworn before any Judge or Assistant Barrister of that part of the United Kingdom, whose Certificate shall be admitted as evidence of such proof having been made, unless the Committee shall require further evidence.

13.

Sub-Committee to report facts when Standing Orders have not been complied with.

THAT when the Sub-Committee shall report to The House that the Standing Orders have not been complied with, they do report the facts upon which their decision is founded, and any special circumstances connected with the case.

Committee on Petitions.

14.

Notices of Application.

THAT Notices be given in all cases where Application is intended to be made for leave to bring in a Bill relating to the subjects included in any of the following Classes:—

1st CLASS.—Burial Ground, Making, Maintaining or Altering.
Church or Chapel, Building, Enlarging, Repairing or Maintaining.
City or Town, Paving, Lighting, Watching, Cleansing or Improving.
Crown, Church, or Corporation Property, or Property held in Trust for Public or Charitable Purposes.
Fishery, Making, Maintaining or Improving.
Land, Inclosing, Draining or Improving.
Market or Market-place.
Local Court, Constituting.
Market or Market-place, Erecting, Improving, Repairing, Maintaining, or Regulating.
Poor, Maintaining or Employing.
Poor Rate.
Stipendiary Magistrate, or any Public Officer, Payment of, if not out of County Rate.

2d CLASS.—Making, Maintaining, Varying, Extending or Enlarging any

Aqueduct.	Navigation.
Archway.	Pier.
Bridge.	Port.
Canal.	Railway.
Cut.	Reservoir.
Dock.	Tunnel.
Ferry.	Turnpike Road.
Harbour.	Waterwork.

3d CLASS.—Continuing or amending an Act passed for any of the purposes included in this or the two preceding Classes, where no further work than such as was authorized by a former Act is proposed to be made.
Company, Incorporating or giving Powers to.
County Rate.
County or Shire Hall, Court House.
Gaol or House of Correction.
Letters Patent, Confirming, Prolonging or Transferring the Term of.
Powers to sue and be sued, Conferring.
Stipendiary Magistrate, or any Public Officer, Payment of, if out of County Rate.

15.

Notices to be published.

THAT such Notices be published in *Three* successive *Weeks* in the months of *October* and *November*, or either of them, immediately preceding the Session of Parliament in which Application for the Bill shall be made, in the *London*, *Edinburgh* or *Dublin Gazette*, as the case may be, and in some one and the same Newspaper of the County in which the City, Town or Lands to which such Bill relates shall be situate; or if there be no Newspaper published therein, then in the Newspaper of some County adjoining or near thereto; or if such Bill do not relate to any particular City, Town or Lands, in the *London*, *Edinburgh* or *Dublin Gazette* only, as the case may be; and that all Notices required to be inserted in the *London*, *Edinburgh* or *Dublin Gazette*, be delivered at the Office of the Gazette in which the insertion is required to be made, during the usual office

Committee on Petitions.

office hours, at least *Two* clear *days* previous to the publication of the Gazette, and that the receipt of the Printer for such Notice shall be proof of its due delivery.

16.

Intention to levy or alter Tolls to be stated.

That if it be the intention of the Parties applying for leave to bring in a Bill, to obtain powers for the compulsory purchase of Lands or Houses, or to levy any Tolls, Rates or Duties, or to alter any existing Tolls, Rates or Duties, or to confer, vary, or extinguish any exemptions from payment of Tolls, Rates or Duties, or any other rights or privileges, the Notices shall specify such intention.

17.

Application to Owners, &c.

That on or before the 31st day of *December* immediately preceding the application for a Bill by which any Lands or Houses are intended to be taken, or an extension of the time granted by any former Act for that purpose is sought, application in writing, (and in cases of Bills included in the second class, in the form, as near as may be, set forth in the Appendix marked (A.)), be made to the Owners or reputed Owners, Lessees or reputed Lessees, and Occupiers, either by delivering the same personally, or by leaving the same at their usual Place of Abode, or in their absence from the United Kingdom, with their Agents respectively, of which application having been duly made, the production of a written acknowledgment by the party applied to of the receipt of such application, shall be sufficient evidence, in the absence of other proof, of the same having been duly delivered or left as aforesaid; and that separate Lists be made of the Names of such Owners, Lessees and Occupiers, distinguishing which of them have assented, dissented, or are neuter in respect thereto. (*See* as to depositing said Lists in Private Bill Office, page 49, No. 127.)

Orders specially relating to Bills of the First Class.

18.

Notices on Church Doors.

That in cases of Bills included in the 1st Class, Notices shall also be affixed to the Outer Doors of the Churches of every Parish to which they specially relate, for *Three* successive *Sundays* in the months of *October* and *November*, or either of them.

Crown, &c. Property.

19.

Notice to Owners, &c.

That in cases of intended Application to Parliament for Bills relating to Crown, Church or Corporation Property, or Property held in Trust for Public or Charitable Purposes, Notice in writing of such intention be given to the Owners or reputed Owners of such Property, and to the Lessees or reputed Lessees of such Property, holding Leases granted for a life or lives, or for any term of Twenty-one Years or upwards; such Notice to be given as aforesaid previous to the Presentation of the Petition for leave to bring in the Bill, or, in the case of a Bill brought from The House of Lords, previous to the First Reading thereof.

Committee on Petitions.

Burial Grounds.

20.

Notices on Church Doors.

THAT Notices be affixed to the Outer Doors of the Churches of every Parish adjoining that in which a Burial Ground is proposed to be made, for *Three* successive *Sundays* in the months of *October* and *November*, or either of them.

21.

Notice to Owners and Occupiers of Houses.

THAT on or before the *Thirty-first* day of *December* immediately preceding the Application for any Bill for making a Burial Ground, Notice be given to the Owner and Occupier of every Dwelling House situated within 300 Yards of the Boundary of the proposed Burial Ground.

ORDERS specially relating to BILLS of the SECOND CLASS.

22.

Notices to contain Names of Parishes, &c.

THAT in cases of Bills included in the 2d Class, all Notices shall contain the Names of the Parishes, Townships, Townlands and extra-parochial places from, in, through, or into which the Work is intended to be made, maintained, varied, extended or enlarged, and shall state the time and place of deposit of the Plans, Sections and Books of Reference respectively, with the Clerks of the Peace, Parish Clerks, Schoolmasters, Town Clerks and Postmasters, as the case may be. (*See* Nos. 23 & 27.)

23.

Plans, &c. with Clerk of the Peace.

THAT a Plan, and also a duplicate of such Plan, on a scale of not less than Four Inches to a Mile, be deposited for public inspection at the office of the Clerk of the Peace for every County, Riding or Division in *England* or *Ireland*, or in the Office of the Principal Sheriff Clerk of every County in *Scotland*, in or through which the Work is proposed to be made, maintained, varied, extended or enlarged, on or before the 30th day of *November*, immediately preceding the Session of Parliament in which Application for the Bill shall be made; which Plans shall describe the line or situation of the whole of the Work, and the Lands in or through which it is to be made, maintained, varied, extended or enlarged, or through which every communication to or from the Work shall be made, together with a Book of Reference containing the Names of the Owners or reputed Owners, Lessees or reputed Lessees, and Occupiers of such Lands respectively; and in the case of Bills relating to Turnpike Roads, Cuts, Canals, Reservoirs, Aqueducts and Railways, a Section and Duplicate thereof, as hereinafter described, shall likewise be deposited with such Plan and Duplicate.

24.

Lands within Deviation to be on Plan.

THAT where it is the intention of the Parties to apply for powers to make any lateral deviation from the line of the proposed Work, the limits of such deviation shall be defined upon the Plan, and all Lands included within such limits shall be marked

Committee on Petitions.

marked thereon, and that in all cases, excepting where the whole of such Plan shall be upon a scale of not less than a *quarter* of an *inch* to every 100 feet, an additional Plan of any Building, Yard, Court-Yard or Land within the curtilage of any Building, or of any Ground cultivated as a Garden, either on the original line or included within the limits of the said deviation, shall be laid down on the said Plan or on the additional Plan deposited therewith, upon a scale of not less than a *quarter* of an *inch* to every 100 feet. (*See* Fig. 3.)

Buildings, &c. on enlarged Scale.

25.

Section.

That the Section be drawn to the same horizontal scale as the Plan, and to a vertical scale of not less than *one inch* to every 100 feet, and shall show the surface of the ground marked on the Plan, and the intended level of the proposed Work, and a datum horizontal line, which shall be the same throughout the whole length of the Work, or any Branch thereof respectively, and shall be referred to some fixed point stated in writing on the Section, near either of the termini. (*See* Line D. D., Fig. 2.)

26.

Clerks of Peace to indorse a Memorial on Plans, &c.

That the Clerks of the Peace or Sheriff Clerks, or their respective Deputies, do make a Memorial in writing upon the Plans, Sections and Books of Reference so deposited with them, denoting the time at which the same were lodged in their respective offices, and do at all seasonable hours of the day permit any person to view and examine one of the same, and to make copies or extracts therefrom; and that *one* of the two Plans and Sections so deposited, be sealed up and retained in the possession of the Clerk of the Peace or Sheriff Clerk until called for by order of one of the Two Houses of Parliament. (*See* Appendix, Act 1 Vict. c. 83.)

27.

Plan and Section with Parish Clerk, &c.

That on or before the 31st day of *December*, a copy of so much of the said Plans and Sections as relates to each Parish in or through which the Work is intended to be made, maintained, varied, extended or enlarged, (*see* Fig. 5.), together with a Book of Reference thereto, be deposited with the Parish Clerk of each such Parish in *England*, the Schoolmaster of each such Parish in *Scotland*, (or in Royal Burghs with the Town Clerk), and the Postmaster of the Post-town in or nearest to such Parish in *Ireland*. (*See* Appendix, Act 1 Vict. c. 83.)

28.

Time for Deposit in Private Bill Office.

That on or before the 31st day of *December*, a copy of the said Plans, Sections and Books of Reference be deposited in the Private Bill Office of this House.

29.

Estimate and Subscription Contract.

That an Estimate of the Expense be made and signed by the person making the same, and that a Subscription be entered into under a Contract, made as hereinafter described, to *three-fourths* the amount of the Estimate. (*See* as to depositing Estimate and Subscription Contract in Private Bill Office, p. 49, No. 127.)

Committee on Petitions.

30.

Cases wherein Declaration may be substituted for Subscription Contract.

THAT in cases where the Work is to be made by means of Funds, or out of Money to be raised upon the credit of present Surplus Revenue, under the control of Directors, Trustees, or Commissioners, as the case may be, of any existing Public Work, a Declaration stating those facts, and setting forth the nature of such control, and the nature and amount of such Funds or Surplus Revenue, and given under the common seal of the Company, or under the hand of some authorized Officer of such Directors, Trustees or Commissioners, may be substituted in lieu of the Subscription Contract, and in addition to the Estimate of the Expense. (*See* as to depositing Subscription Contracts in Private Bill Office, p. 49, No. 127.)

31.

Cases wherein Declaration and Estimate of Amount of Rates may be substituted for Subscription Contract.

THAT in cases where the Work is to be made out of Money to be raised upon the Security of the Rates, Duties or Revenue to be created by or to arise under any Bill, under which no private or personal pecuniary profit or advantage is to be derived, a Declaration stating those facts, and setting forth the means by which Funds are to be obtained for executing the Work, and signed by the Party or Agent soliciting the Bill, together with an Estimate of the probable amount of such Rates, Duties or Revenue, signed by the Person making the same, may be substituted in lieu of the Subscription Contract, and in addition to the Estimate of the Expense. (*See* as to depositing Estimate and Subscription Contract in Private Bill Office, p. 49, No. 127.)

32.

Contract to contain Christian and Surnames of Parties.

THAT every Subscription Contract contain the Christian and Surnames, Description and Place of Abode of every Subscriber; his Signature to the amount of his Subscription, with the amount which he has paid up; and the Name of the Party witnessing such Signature, and the date of the same respectively.

33.

One-tenth part of amount subscribed to be deposited, and Shares of Three-fourths of Subscribers to be paid up.

THAT previous to the presentation of a Petition for a Bill, a sum equal to *One-tenth* part of the amount subscribed shall be deposited with the Court of Chancery in *England*, if the Work is intended to be done in *England*, or with the Court of Chancery in *England* or the Court of Exchequer in *Scotland*, if such Work is intended to be done in *Scotland*, and with the Court of Chancery in *Ireland*, if such Work is intended to be done in *Ireland*; and that not less than *Three-fourths* in number of the Subscribers shall pay up their Shares of such Deposit. (*Vide* Appendix C.)

34.

Not valid unless entered into subsequent to close of previous Session.

THAT no Subscription Contract shall be valid unless it be entered into subsequent to the close of the Session of Parliament previous to that in which application is made for leave to bring in the Bill to which it relates, and unless the Parties subscribing to it bind themselves, their Heirs, Executors and Administrators, for the Payment of the Money so subscribed.

35. THAT

Committee on Petitions.

35.

Copies of Subscription Contract, or of Declaration, &c., to be printed, and delivered in Vote Office.

THAT previous to the presentation of a Petition for a Bill, copies of the Subscription Contract, with the Names of the Subscribers arranged in alphabetical order, and the amount of the Deposit respectively paid up by each such Subscriber, or where a Declaration and Estimate of the probable amount of Rates and Duties are substituted in lieu of a Subscription Contract, copies of such Declaration or of such Declaration and Estimate be printed at the expense of the Promoters of the Bill, and be delivered at the Vote Office for the use of the Members of The House.

36.

Notice to Owners, &c., when the Bill is to abridge any Public Work.

THAT previous to the presentation of a Petition for a Bill whereby any part of a Work authorized by any former Act is intended to be relinquished, Notice in writing of such Bill be given to the Owners or reputed Owners and Occupiers of the Lands in which the part of the said Work intended to be thereby relinquished is situate.

Cuts, Canals, Reservoirs, Aqueducts and Navigations.

37.

When it is intended to divert Water from an existing Cut, &c., into an intended Cut, &c., the name of the existing Cut, &c., to be mentioned.

THAT in all cases where it is proposed to divert into any intended Cut, Canal, Reservoir, Aqueduct, or Navigation, or into any intended variation, extension, or enlargement thereof respectively, any Water from any existing Cut, Canal, Reservoir, Aqueduct, or Navigation, whether directly or derivatively, and whether under any agreement with the Proprietors thereof or otherwise, the Notices shall contain the name of every such existing Cut, Canal, Reservoir, Aqueduct or Navigation, the Waters supplying which, by virtue of any Act of Parliament, will either directly or derivatively flow or proceed into any such intended Cut, Canal, Reservoir, Aqueduct, or Navigation, or into any intended variation, extension or enlargement thereof.

38.

Plan to describe Brooks, &c. to be diverted.

THAT in all cases where it is proposed to make, vary, extend or enlarge any Cut, Canal, Reservoir, Aqueduct or Navigation, the Plan shall describe the Brooks and Streams to be directly diverted into such intended Cut, Canal, Reservoir, Aqueduct or Navigation, or into any variation, extension or enlargement thereof respectively for supplying the same with Water; it shall also exhibit the height of the several Embankments, and the depth of the several Cuttings respectively, on a scale specified thereon (*see* Fig. 1); and in cases of Bills for improving the Navigation of any River, there shall be a Section which shall specify the Levels of both Banks of such River, and where any alteration is intended to be made therein, it shall describe the same by feet and inches.

Railways.

39.

Plan of Railway to show Embankments and Cuttings.

THAT in all cases where it is proposed to make, vary, extend or enlarge any Railway, the Plan shall exhibit thereon the height of the several Embankments, and the depth of the several Cuttings respectively, on a scale specified thereon. (*See* Fig. 1.)

Committee on Petitions.

40.

Line of Railway on Section to correspond with upper surface of Rails.

THAT in every Section of a Railway, the Line marked thereon shall correspond with the upper surface of the Rails. (*See* Line S. S., Fig. 2.)

41.

Vertical Measures to be marked at change of gradient.

THAT a vertical measure from the datum line to the line of the Railway shall be marked in feet and inches at each change of the gradient or inclination (*see* E. F., Fig. 2), and that the proportion or rate of inclination between each such change shall also be marked. (*See* G. G. in Fig. 2.)

42.

Height of Railway, over or under surface, to be marked at every crossing of a Road, &c.

THAT the height of the Railway over or under the surface of every Turnpike Road, public Carriage Road, navigable River, Canal, or Railway, or junction with a Railway, shall be marked in figures at every crossing thereof (*see* I. I. I., Fig. 2); and if there shall be no such crossing in every half mile, then the height over or under the surface of the ground shall be marked once in that space (*see* O. O. O., Fig. 2); and if any alteration in the present level or rate of inclination of any Turnpike Road, Carriage Road or Railway be intended, then the same shall be stated on the said Section. (*See* P. Fig. 2.)

43.

Tunnelling and Archway to be marked.

THAT where tunnelling as a substitute for open cutting, or arching as a substitute for solid embankment, be intended, the same shall be marked both on the Plan and Section. (*See* Q. R., Figs. 1 and 2.)

ORDERS specially relating to BILLS of the THIRD CLASS.

44.

Documents to be deposited in Private Bill Office.

THAT as respects all Bills of the Third Class for the Incorporation of Joint Stock Companies, or proposed Companies for carrying on any Trade or Business, or for conferring upon such Companies the power of suing and being sued, there be deposited in the Private Bill Office, previous to the Presentation of the Petition for the Bill, a copy of the Deed or Agreement of Partnership (if any) under which the Company or proposed Company is acting, or of the Subscription Contract (if any), together with a declaration in writing stating the following matters:—

1st.—The present and proposed amount of the Capital of the Company.

2d.—The number of Shares, and the amount of each Share.

3d.—The number of Shares subscribed for.

4th.—The amount of Subscriptions paid up.

5th.—The names, residences and descriptions of the Shareholders or Subscribers (so far as the same can be made out), and of the actual or provisional Directors, Treasurers, Secretaries or other officer, if any.

And such documents shall be verified by the signature of some authorized officer of the Company or proposed Company (if any), and by some responsible party promoting the Bill. (*See* as to depositing documents in Private Bill Office, Order, page 49, No. 127.)

Committee on Petitions.

Letters Patent.

45.

THAT in cases of Bills for confirming or prolonging the terms of Letters Patent, each Notice shall have prefixed to it in Capital Letters the name by which the Invention is usually distinguished, and shall contain a distinct description of the Invention for which such Letters Patent have been obtained, and also an account of the Term of their Duration.

Name of Invention to be prefixed in Capitals to Notice.

DUTY OF THE SELECT COMMITTEE ON STANDING ORDERS.

46.

THAT when any Report of the Select Committee on Petitions for Private Bills, in which they shall report that the Standing Orders have not been complied with, shall have been referred to the Select Committee on Standing Orders, they shall report to The House whether such Standing Orders as have not been complied with ought or ought not to be dispensed with, and whether in their opinion the parties should be permitted to proceed with their Bill, or any portion thereof, and under what (if any) conditions.

Select Committee on Standing Orders to report whether Standing Orders ought or ought not to be dispensed with.

47.

THAT when any Petition for leave to dispense with any of the Sessional Orders of The House relating to Private Bills, shall have been referred to the Select Committee on Standing Orders, they shall report to The House whether such Sessional Orders ought or ought not to be dispensed with.

Select Committee on Standing Orders to report whether Sessional Order ought or ought not to be dispensed with.

48.

THAT when any Clause or Amendment proposed to any Private Bill on the Report, or the Consideration of the Report thereof, shall have been referred to the Select Committee on Standing Orders, they shall report to The House whether such Clause or Amendment be of such a nature as not to be adopted by The House without the Re-commitment of the Bill, or of such a nature as to justify The House in entertaining it without recurring to that proceeding, or of such a nature as not in either case to be adopted by The House.

Committee to report whether Clause and Amendment on Report ought to be adopted or not by House without Re-commitment.

49.

THAT when any Clause or Amendment proposed to any Private Bill on the Third Reading shall have been referred to the Select Committee on Standing Orders, they shall report to The House whether such Clause or Amendment ought or ought not to be adopted by The House at that stage.

Committee to report whether Clause or Amendment on Third Reading ought to be adopted or not by House at that stage.

Committee of Selection.

DUTY OF THE COMMITTEE OF SELECTION.

50.

Opposed Bill to be referred to Speaker's List, &c.

THAT the Committee of Selection shall refer every Private Bill referred to them, when it be opposed, to the Speaker's List of that County or that Division of a County to which the Bill specially relates, and to such number of Members not locally interested in the Bill as the circumstances of the case shall in their judgment require.

51.

Quorum of Selected Members.

THAT the Committee of Selection shall in each case direct what number of the Members (not locally interested in the Bill) selected and added to the Speaker's List by them, shall be a Quorum of such Members.

52.

Notice to Selected Members.

THAT the Committee of Selection shall, after the name of any Member shall have been added by them to the Speaker's List, direct the Clerk attending them to give notice as soon as possible to such Member of his Name having been so added, and of the time when the Committee on the Bill shall have been appointed to meet.

53.

What Bills not to be considered opposed.

THAT the Committee of Selection shall consider no Bill as an opposed Private Bill where no Petition has been presented in which the Petitioners pray to be heard by themselves, their Counsel or Agents, unless in cases where the Chairman of Ways and Means shall have reported to The House that in his opinion any Bill should be so treated.

54.

Unopposed Bills to be referred to the Chairman of Ways and Means, &c.

THAT the Committee of Selection shall refer every unopposed Private Bill referred to them, and which shall have originated in this House, to the Chairman of the Committee of Ways and Means, together with the Members ordered to prepare and bring in the Bill; and shall refer every unopposed Private Bill referred to them, which shall have been brought from the House of Lords, to the Chairman of the Committee of Ways and Means, together with not less than *Two* other Members, to be named by the Committee of Selection.

55.

Committee of Selection to appoint First Sitting of Committee.

THAT the Committee of Selection shall, subject to the order that there be *Seven* clear days between the Second Reading of every Private Bill and the Sitting of the Committee thereupon, fix the time for holding the *First Sitting* of every Committee on a Private Bill referred to them; but in the case of unopposed Private Bills, after communication with the Members who are to form the Committee on such Bill.

56.

Postponement of First Sitting.

THAT no Postponement of the First Sitting of any Committee on a Private Bill shall take place, unless such Postponement, and the Duration of it, shall have been sanctioned by the Committee of Selection.

Committee on the Bill.

DUTY OF THE COMMITTEE ON THE BILL.

Orders specially relating to the Committee on an Opposed Bill.

57.

That each Member appointed to serve as a Member of a Committee on an opposed Private Bill, whether he be on the Speaker's List or one of the Selected Members, before he be entitled to attend and vote on such Committee, shall (according to the class to which he may belong) sign one of the following Declarations. Members of Committee to sign Declaration.

58.

That the following shall be the several Forms of Declaration :— Declaration of Member on Speaker's List.

No. 1.—Declaration of a Member whose Name is on the List prepared under the direction of Mr. Speaker for . . .

I, A. B., being one of the Members whose name is on the List prepared under the direction of Mr. Speaker, to which List the Bill for . . . . . has been committed, do hereby declare, That I will never vote on any question which may arise without having duly heard and attended to the Evidence relating thereto.

Memorandum.—*The Declaration, signed as aforesaid, must be delivered to the Clerk of the Committee on the Bill before the Committee shall proceed to appoint a Chairman, otherwise the Member signing the same shall not be entitled to attend or vote.*

No. 2.—The Declaration of a Member whose Name has been added to the List prepared under the direction of Mr. Speaker by the Committee of Selection, his constituents having no local interest in the Bill for . . . . . Declaration of selected Member

I, C. D., being one of the Members selected and added to the List by the Committee of Selection, to which List the Bill for . . . . . has been committed, do hereby declare, That my constituents have no local interest, and that I have no personal interest, in such Bill ; and that I will never vote on any question which may arise without having duly heard and attended to the Evidence relating thereto.

Memorandum.—*The Declaration, signed as aforesaid, must be delivered to the Clerk of the Committee on the Bill before the Committee shall proceed to appoint a Chairman, otherwise the Member signing the same shall not be entitled to attend or vote.*

59.

That the Committee Clerk shall furnish to each Member appointed to serve on a Committee on a Private Bill, who shall apply for the same, a Form of one of the above Declarations, according to the class to which the Member may belong ; and Form of Declaration supplied by Clerk.

Committee on the Bill.

that such application shall be made to the Committee Clerk, either in the Committee Clerks' Office, previous to the time when the Committee shall have been appointed to meet, or in the Committee Room, previous to the door thereof being locked, as hereinafter directed.

60.

When Member not entitled to attend or vote.

THAT no Member shall be entitled to attend or vote in a Committee on an opposed Private Bill, who shall not have delivered his Declaration to the Clerk, previous to the time when the door of the Committee Room shall be locked for the appointment of the Chairman, and who shall not have been present at such appointment.

61.

Quorum to be always present.

THAT Five Members (including the Quorum of Selected Members) shall be the Quorum of every Committee on an opposed Private Bill, and that no such Committee shall proceed to business, or continue their inquiry or deliberations, unless such number of Members appointed and duly qualified to serve on such Committee shall be present.

62.

When Proceedings of Committee to commence.

THAT so soon after the expiration of *ten minutes*, and not sooner, after the time appointed for the first sitting of a Committee on an opposed Private Bill, as there shall be present at least *Five* Members appointed and duly qualified to serve on such Committee (including a Quorum of Selected Members), the Clerk shall direct the Messenger in attendance on the Committee to clear the room of all strangers, and to lock the door of the Committee Room; and the Members then present shall proceed to appoint a Chairman.

63.

Chairman to be a Selected Member.

THAT the Member to be appointed the Chairman of each Committee on an opposed Private Bill shall be one of the Selected Members.

64.

Proceedings to be suspended if Quorum not present.

THAT if at any time during the sitting of the Committee a Quorum of the Selected Members shall not be present, the Chairman of the Committee shall suspend the proceedings of such Committee until such Quorum shall be present; and that if at the expiration of *one hour* from the time fixed for the meeting of the Committee, or from the time when the Chairman shall so have suspended the proceedings of such Committee, a Quorum of the Selected Members shall not be present, the Chairman shall *adjourn* the Committee for any period not exceeding Two clear days, or to the day on which The House shall next thereafter meet, and report to The House the circumstances of the case.

65.

Absence of Quorum by Death or otherwise to be reported.

THAT if at any time after the Committee on a Bill shall have been formed, a Quorum of Members required by the Standing Orders cannot attend in consequence of any of the Members who

who shall have duly qualified to serve on such Committee having become incompetent to continue such service by having been placed on an Election Committee, or by death or otherwise, the Chairman shall report the circumstances of the case to The House, in order that such measures may be taken by The House as shall enable the Members still remaining on the Committee to proceed with the business referred to such Committee, or as the exigency of the case may require.

Committee on the Bill.

66.

That no Petition against a Private Bill be taken into consideration by the Committee on such Bill, which shall not distinctly specify the ground on which the Petitioners object to any of the provisions thereof; and that the Petitioners be only heard on such grounds so stated; and if it shall appear to the said Committee, that such grounds are not specified with sufficient accuracy, the Committee may direct that there be given in to the Committee a more specific Statement, in writing, but limited to such grounds of Objection so inaccurately specified.

Petition against Bill not to be considered except grounds of objection sufficiently specified.

67.

That no Petitioners against any Private Bill shall be heard before the Committee on the Bill, unless the Petition shall have been presented to this House *Three* clear *days* before the day appointed for the first meeting of such Committee, unless the Petitioners shall complain of any matter which may have arisen during the progress of the Bill before the said Committee.

Petition against Bill to be presented Three days before first day appointed for meeting.

Orders specially relating to the Committee on an Unopposed Bill.

68.

That the Chairman of the Committee of Ways and Means shall be the Chairman of the Committee on every unopposed Private Bill (not being a Divorce Bill), and that such Chairman and one of the other Members of the Committee shall be the Quorum thereof.

What Chairman to be appointed.

69.

That the Chairman of the Committee on every unopposed Private Bill (not being a Divorce Bill), shall be at liberty, at any period after such Bill shall have been referred to him and the other Members of the Committee, to report his opinion to The House (if he shall think fit), that such Bill should be treated as an opposed Private Bill; in which case such Bill shall be again referred to the Committee of Selection, and shall be dealt with by them as an opposed Private Bill.

Chairman at liberty to report that any Bill should be treated as opposed.

70.

That a filled-up Bill, signed by the Agent for the Bill, as proposed to be submitted to the Committee, be laid by him before such Chairman at the time of giving notice of the meeting of the Committee on the Bill, and that similar copies be also laid by the Agent for the Bill before the other Members of the said Committee *Three days* at the least before the *First Meeting* thereof.

Filled-up Bills to be laid before Chairman and Committee.

Committee on the Bill.

Orders relating to Committees on Bills, whether Opposed or Unopposed.

71.

Names of Members to be entered on Minutes.

That the Names of the Members attending each Committee be entered by the Clerk on the Minutes of the Committee; and if any Division shall take place in the Committee, the Clerk do take down the Names of Members voting in any such Division, distinguishing on which side of the question they respectively vote, and that such Lists be given in with the Report to The House.

72.

Committee on Bill not to inquire into certain Standing Orders.

That no Committee shall have power to examine into the compliance or non-compliance with such Standing Orders as are directed to be proved before the Select Committee on Petitions for Private Bills, unless by special order of The House.

73.

Standing Orders and Consents may be proved on Affidavit.

Scotland.

That in the case of any Private Bill relating to *Scotland*, the Committee may admit proof of the compliance with the Standing Orders of this House, and of the Consents of Parties concerned in interest in such Private Bill, on the production of Affidavits sworn before any Sheriff Depute or his Substitute there, whose Certificate shall be admitted as evidence of such proof having been made, unless the Committee shall require further evidence.

74.

Standing Orders and Consents may be proved on Affidavit.

Ireland.

That in the case of any Private Bill relating to *Ireland*, the Committee may admit proof of the compliance with the Standing Orders of The House, and of the Consents of Parties concerned in interest in such Private Bill, on the production of Affidavits sworn before any Judge or Assistant Barrister of that part of the United Kingdom, whose Certificate shall be admitted as evidence of such proof having been made, unless the Committee shall require further evidence.

75.

Consents in all other Cases.

That in all other instances, the Committee may admit proof of the Consents of Parties concerned in interest in any Private Bill, on the production of Certificates in writing of such Parties, whose Signature to such Certificate shall be proved by *one* or more Witnesses, unless the Committee shall require further Evidence.

76.

Clause compelling payment of Subscriptions.

That in all Bills presented to The House for carrying on any Work by means of a Company, Commissioners or Trustees, Provision be made for compelling Persons who have subscribed any Money towards carrying any such Work into execution, to make payment of the Sums severally subscribed by them.

77.

Provision to be made in Bills, by

That in all Bills whereby any Parties are authorized to levy Fees, Tolls or other Rate or Charge, Clauses be inserted, providing

Committee on the Bill.

viding for the following objects, except in so far as any of such objects shall have been provided for in some general Act applicable to the subject-matter of the Bill:—

which Tolls, &c. may be levied.

That security be taken from the Treasurer, Collector, or Receiver, and every other officer entrusted with the collection or custody of monies under the Bill, for the faithful execution of his office.

Security to be taken from Treasurer, &c.

That full and accurate Accounts be kept of all monies received and expended under the provisions of the Bill, and that such Accounts be balanced once in each year at the least.

Accounts to be kept.

That such Accounts be duly audited once in each year at the least, and that for such purpose an Auditor or Auditors be appointed by some person or persons not immediately connected with the Commissioners, Directors, Trustees, or other party, by whom, or by whose direction or authority, such Fees, Tolls, Rates or Charges shall be levied.

Accounts to be audited.

That for the purpose of auditing such Accounts, the Commissioners, Directors, Trustees or other such party as aforesaid be required to cause the Accounts, together with all their Books and Vouchers, to be produced to the Auditors.

Accounts, Vouchers, &c., to be produced to Auditors.

That the remuneration of the Auditor, and his expenses, be defrayed out of the funds levied under the Bill.

Remuneration to Auditors.

That an annual Account, in abstract, be prepared of the total Receipts and Expenditure of all funds levied under such Bill for the past year, under the several distinct heads of Receipts and Expenditure, with a Statement of the Balance of the said Account duly audited and certified by the Chairman of the Commissioners, Directors, Trustees or other parties aforesaid, and also by the Auditors thereof; and that a copy of such annual Account be transmitted, free of charge, to the Clerk of the Peace (or in Scotland to the Sheriff Clerk) for the County, or to the Clerk of the City or Borough within which the chief Office for the management of such funds shall be situated, on or before the *Thirty-first* day of *January* in each year, under a sufficient Penalty for not preparing and sending in the said Account, to be levied by summary process; the said Account to be open at all seasonable hours to the inspection of the Public upon payment of a Fee.

Account to be annually transmitted to Clerk of Peace.

78.

THAT where the level of any Road shall be altered in making any Public Work, the ascent of any Turnpike Road shall not be more than one foot in 30 feet; and of any other public Carriage Road not more than one foot in 20 feet; and that a good and sufficient fence, of four feet high at the least, shall be made on each side of every Bridge which shall be erected.

Level of Roads.

Fence to Bridges.

79.

THAT every Plan, and Book of Reference thereto, which shall be produced in evidence before the Committee upon any Private Bill (whether the same shall have been previously lodged in the Private Bill Office, or not,) shall be signed by the Chairman of such Committee with his Name at length; and he

Plan, &c., to be signed by Chairman.

Committee on the Bill.

shall also mark with the Initials of his Name every Alteration of such Plan and Book of Reference, which shall be agreed upon by the said Committee; and every such Plan and Book of Reference shall thereafter be deposited in the Private Bill Office.

80.

Committee Bill and Clauses to be signed by Chairman.

THAT the Chairman of the Committee do sign, with his Name at length, a printed Copy of the Bill (to be called the Committee Bill) on which the Amendments are to be fairly written; and also sign, with the Initials of his Name, the several Clauses added in he Committee.

81.

Chairman to report on allegations of Bill, &c.

THAT the Chairman of the Committee upon every Private Bill shall report to The House, that the Allegations of the Bill have been examined; and whether the Parties concerned have given their Consent (where such Consent is required by the Standing Orders) to the satisfaction of the Committee.

82.

Committee to report Bill in all cases.

THAT every Committee to whom any Private Bill shall have been referred shall report the Bill to The House, whether such Committee shall or shall not have agreed to the Preamble, or gone through the several Clauses, or any of them; and when any alteration shall have been made in the Preamble of the Bill, such alteration, together with the ground of making it, shall be specially stated in the Report.

83.

Minutes of Committee.

THAT the Minutes of the Committee on every Private Bill be brought up and laid on the Table of The House, with the Report of the Bill.

Railway Bills.

84.

Restrictions as to Mortgage.

THAT in the case of a Railway Bill, no Company shall be authorized to raise, by Loan or Mortgage, a larger sum than *One-third* of their capital; and that, until *Fifty per cent.* on the whole of the capital shall have been paid up, it shall not be in the power of the Company to raise any Money by Loan or Mortgage.

85.

Level of Roads.

THAT where the level of any Road shall be altered in making any Railway, the ascent of any Turnpike Road shall not be more than one foot in 30 feet; and of any other public Carriage Road not more than one foot in 20 feet; and that a good and sufficient fence, of four feet high at the least, shall be made on each side of every Bridge which shall be erected.

Fence to Bridges.

86.

Railways not to cross Turnpike Roads, &c., on same Level.

THAT no Railway whereon Carriages are propelled by Steam shall be made across any Turnpike Road or other public Carriageway on the level, unless the Committee on the Bill report that such a restriction ought not to be enforced, with the reasons and facts upon which their opinion is founded.

87. THAT

87. Committee on the Bill.

THAT in the case of a Railway Bill, the Committee report specially:—

1. The proposed Capital of the Company formed for the execution of the project, and the amount of any Loans which they may be empowered to raise by the Bill. Capital.

2. The amount of Shares subscribed for, and the Deposits paid thereon. Shares, &c.

3. The Names and Places of Residence of the Directors or Provisional Committee, with the amount of Shares taken by each. Names, &c., of Directors.

4. The number of Shareholders who may be considered as having a local interest in the line, and the amount of Capital subscribed for by them. Local Shareholders.

5. The number of other Parties, and the Capital taken by them. Other parties, &c.

6. The number of Shareholders subscribing for 2,000*l.* and upwards, with their Names and Residences, and the amount for which they have subscribed. Subscribers for 2,000*l.* and upwards.

7. The sufficiency or insufficiency for Agricultural, Commercial, Manufacturing or other purposes, of the present means of conveyance, and of communication between the proposed termini, stating the present amount of traffic by land or water, the average charges made for Passengers and Goods, and time occupied. Present means of conveyance.

8. The number of Passengers, and the weight and description of the Goods expected upon the proposed Railway. Passengers, &c., expected.

9. The amount of Income expected to arise from the conveyance of Passengers and Goods, and in what proportion; stating also generally the description of Goods from which the largest revenue is anticipated. Income expected.

10. Whether the proposed Railway be a complete and integral line between the termini specified, or a part of a more extended plan now in contemplation, and likely to be hereafter submitted to Parliament, and to what extent the calculations of remuneration depend on such contemplated extension of the line. Whether Railway be a complete Line, or part of a more extended Plan.

11. Whether any, and what, competing lines of Railway there are existing, and whether any, and what, are in progress or contemplation, and to state, so far as circumstances will permit, in what respects the proposed line is superior or inferior to the other lines; but that no line of Railway be deemed a competing line in contemplation, unless the Plan, Section and Book of Reference for the same shall have been deposited with the Clerks of the Peace and in the Private Bill Office respectively, as required by the Standing Orders. Competing Lines.

12. What planes on the Railway are proposed to be worked, either by assistant engines, stationary or locomotive, with the respective lengths and inclinations of such planes. Assistant Engines.

13. Any peculiar engineering difficulties in the proposed line, and the manner in which it is intended they should be overcome. Engineering difficulties.

14. The length, breadth, and height, and means of ventilation, of any proposed tunnels, and whether the strata through which they are to pass are favourable or otherwise. Ventilation of Tunnels.

 15. Whether

Committee on the Bill.

15. Whether in the lines proposed, the gradients and curves are generally favourable or otherwise, and the steepest gradient, exclusive of the inclined planes above referred to, and the smallest radius of a curve.

Gradients and Curves.

Length of Line.

16. The length of the main line of the proposed Railway, and of its branches respectively.

Passing Highways on a level.

17. Whether it be intended that the Railway should pass on a level any Turnpike Road or Highway, and if so, to call the particular attention of The House to that circumstance.

Estimates.

18. The amount of the Estimates of the cost or other expenses to be incurred up to the time of the completion of the Railway, and whether they appear to be supported by evidence, and to be fully adequate for the purpose.

Annual Expenses.

19. The estimated charge of the Annual Expenses of the Railway when completed, and how far the calculations on which the charge is estimated have been sufficiently proved.

Revenue in reference to annual charge.

20. Whether the calculations proved in evidence before the Committee have satisfactorily established that the Revenue is likely to be sufficient to support the Annual Charges of the maintenance of the Railway, and still allow profit to the Projectors.

Assents.

21. The number of assents, dissents and neuters upon the line, and the length and amount of Property belonging to each class traversed by the said Railway, distinguishing Owners from Occupiers; and in the case of any Bill to vary the original Line, the above particulars with reference to such Parties only as may be affected by the proposed deviation.

Engineers examined.

22. The Name of each Engineer examined in support of the Bill, and of any examined in opposition to it.

Petitions in opposition.

23. The main allegations of every Petition which may have been referred to the Committee in opposition to the Preamble of the Bill, or to any of its Clauses; and whether the allegations have been considered by the Committee, and if not considered, the cause of their not having been so.

Fitness in an engineering point of view, and any other circumstances.

And the Committee shall also report generally as to the fitness, in an engineering point of view, of the projected line of Railway, and any circumstances which, in the opinion of the Committee, it is desirable The House should be informed of.

88.

That in all Railway Bills there be inserted the following Clauses:

Railway not to be proceeded with till certain Plans, &c., deposited.

"And be it further Enacted, That it shall not be lawful for the said Company to proceed in the execution of the said Railway hereinbefore authorized to be made unless the said Company shall have, previously to the commencement of such Work, deposited with the Clerk of the Peace of the several counties in *England* or *Ireland*, and in the Office of the Principal Sheriff-Clerk in every county in *Scotland*, in or through which the said Railway hereby authorized to be made is intended to pass, a Plan and Section of all such alterations from the original Plan and Section as shall have been approved of by Parliament, on the same scale and containing the same particulars as the original Plan and Section

Section of the Railway; and also with the Clerks of the several Parishes in *England*, the Schoolmasters of the several Parishes in *Scotland*, (or in Royal Burghs with the Town Clerk), and the Postmasters of the Post-towns in or nearest to such Parishes in *Ireland*, in or through which such alterations shall have been authorized to be made, copies or extracts of or from such Plans and Sections as shall relate to such Parishes respectively; and all persons interested shall have liberty to inspect and make extracts from or copies of the said Plans and Sections, or extracts or copies thereof, paying to the Officer having the custody of such Plan and Section, or of such extract or copy, the sum of One Shilling for every such inspection, and after the rate of Sixpence for every One hundred words copied therefrom."

Limiting Deviations from Datum Line described on the Section, &c.

"And be it further Enacted, That in making the said Railway it shall not be lawful for the said Company to deviate from the Levels of the said Railway as referred to the common Datum Line described on the Section so approved of by Parliament, and as marked on the same, to any extent exceeding in any place *Five Feet*, or in passing through Towns *Two Feet*, without the consent of the Owners, Lessees, and Occupiers of the Land in, through or over which such deviation is intended to be made; or in case any Street or public Carriage Road shall be affected by such deviation, then the same shall not be made without the consent of the Trustees or Commissioners, or, if there be no such Trustees or Commissioners, without the consent of *Two* or more Justices of the Peace in Petty Sessions assembled for that purpose, and acting for the district in which such Street or public Carriage Road may be situate, or without the consent of the Commissioners for any public Sewers, or the proprietors of any Canal or Navigation affected by such deviation; and that no increase in the inclination or gradients of the said Railway, as denoted by the said Section, shall be made in any place to an extent exceeding the rate of *Three Feet* per Mile; and where in any place it is intended to carry the Railway on an Arch or Arches, as marked on the said Plan or Section, the same shall be made accordingly; and where a Tunnel is marked on the said Plan or Section as intended to be made at any place, the same shall be made accordingly, unless the Owners, Lessees, and Occupiers of the Land in or through which such Tunnel is intended to be made shall consent that the same shall not be so made: Provided nevertheless, That it shall be lawful for the said Company, with such consent as aforesaid, and not otherwise, to make a Tunnel or an Arch or Arches as aforesaid not marked on the said Plan or Section, so that no such Tunnel shall be of greater length than *Two hundred Yards*, and that no two Tunnels be at a less distance from each other than *One hundred Yards* measured on the Line of the Railway: Provided always, That Notice of every Petty Sessions to be holden for the purpose of obtaining such consent as aforesaid shall, *Fourteen Days* previous to the holding of such Petty Sessions, be given in some Newspaper circulating in the county, and also to be affixed upon the Church-door of the Parish in which such deviation or alteration is intended to be made, or if there be no Church, some other place to which Notices are usually affixed: And provided also, That for the purpose of consenting to any such deviation from the said Sections, and to any Tunnelling or Arching as aforesaid, the word "Owners" shall be deemed and taken to mean such persons as are herein capaci-

Committee on the Bill.

tated to agree for the sale of and to convey Land for the making of the said Railway; and the consent of such persons, with or without the consent of any other persons interested as Owners in the said Lands, shall be deemed and taken to be sufficient for such purposes.

Limiting Alteration of Curves.

"And be it further Enacted, That it shall not be lawful to diminish the radius of any curve as described on the Plan deposited with the Clerk of the Peace, or Principal Sheriff-Clerk, unless such radius exceed one mile, nor to diminish it in any such case so that it shall become less than one mile, nor to diminish any greater radius by more than a quarter of a mile, unless where it exceeds two miles, or by more than half a mile, unless where it exceeds three miles on the said Plan."

Letters Patent.

89.

Copy of Letters Patent to be annexed to the Bill.

THAT when any Bill shall be brought into The House, for confirming of Letters Patent, there be a true Copy of such Letters Patent annexed to the Bill.

Inclosure and Drainage Bills.

90.

Notices and Allegations.

THAT in the case of any Bill for inclosing Lands, the Committee may admit proof of the Notices required by the Standing Orders, and of the Allegations in the Preamble of such Bill, by Affidavit taken and authenticated, according to the form prescribed in the Gen. Inc. Act. Schedule to the General Inclosure Act (41 GEO. III. c. 109,) unless such Committee shall otherwise order.

91.

Consent Bill and Statement of Property to be delivered in.

THAT the Committee on every Bill for inclosing Lands shall in the first place require the Agent for the same to deliver in to the Committee a printed copy of the Bill, signed by the Lord of the Manor, (in cases where the Lord of the Manor has any interest as such in the lands to be inclosed) and by such Owners of Property within the Parish to which the Bill relates as shall have assented thereto; but that the Parties, if they shall think fit, be permitted to deliver in different copies of the Bill, separately signed by the several Parties hereinbefore mentioned, instead of one copy, signed by all of them collectively; together with a List of all the Owners of Property within such Parish, showing the value according to the Poor Rate or Land Tax Assessment of each Owner's Property therein, and distinguishing which of them have assented, dissented, or are neuter in respect thereto.

92.

Consent Bill and Statement of Property to be delivered in.

THAT the Committee on every Bill for draining Lands shall in the first place require the Agent for the same to deliver in to the Committee a printed copy of the Bill, signed by such Owners and Occupiers of Property within the Parish to which the Bill relates as shall have assented thereto; but that the Parties, if they shall think fit, be permitted to deliver in different copies of the Bill, separately signed by the several Parties hereinbefore mentioned, instead of one copy, signed by all of them collectively;

Committee on the Bill.

collectively; together with a List of all the Owners of Property within such Parish, showing the value according to the Poor Rate or Land Tax Assessment of each Owner's Property therein, and distinguishing which of them have assented, dissented, or are neuter in respect thereto.

93.

Clause for leaving open Space for exercise and recreation.

That in every Bill for inclosing Lands, provision be made for leaving an open space in the most appropriate situation, sufficient for purposes of exercise and recreation of the neighbouring population; and that the Committee on the Bill have before them the number of acres proposed to be inclosed, as also of the population in the parishes or places in which the land to be inclosed is situate; and also do see that provision is made for the efficient fencing of the allotment, for the investment of the same in the Churchwardens and Overseers of the parish in which such open space is reserved, and for the efficient making and permanent maintenance of the fences by such parish; and that in any case where the information hereby required is not given, and the required provisions are not made in the Bill, the Committee on the same do report specially to The House the reasons for not complying with such Order.

94.

Consent Bill to contain Names of Commissioners, and Compensations for Manorial Rights, Tithes, and Enfranchisements.

That in every Bill for inclosing Lands, the Names of the Commissioners proposed to be appointed, and the Compensation intended for the Lord of the Manor, and the Owners of Tithes, in lieu of their respective Rights, and also the Compensation intended to be made for the enfranchisement of Copyholds, where any Bargains or Agreements have been made for such Compensations, be inserted in the copy of the Bill presented to The House: And that all copies of such Bills which shall be sent to any of the Persons interested in the said Manor, Tithes, Lands or Commons, for their Consent, do contain the Names of such proposed Commissioners, and also the Compensations so bargained or agreed for.

95.

Disqualification of certain Persons as Commissioners, Surveyors, &c.

That no Person shall be named in any Bill for inclosing Lands as a Commissioner, Umpire, Surveyor or Valuer, who shall be interested in the Inclosure to be made by virtue of such Bill; or the Agent ordinarily intrusted with the care, superintendence, or management of the Estate of any Person so interested.

96.

Clauses for settling Pay of Commissioners, and passing their Accounts.

That in every Bill for inclosing, draining or improving Lands there be inserted a Clause, providing what sum of Money in the whole, or by the day, shall be paid to each of the Commissioners to be appointed by such Bill, in satisfaction of the expense and trouble which he shall incur in the execution of the powers thereby given; and that there be also inserted in such Bill a Clause, providing that the Account of such Commissioner or Commissioners, containing a true statement of all Sums by him or them received and expended or due to him or them for their own trouble or expenses, shall, at least once in every year, from the date of the passing of the Act till such Accounts shall be

Committee on the Bill.

finally allowed, together with the Vouchers relating to the same, be examined by some Person or Persons to be appointed by the Bill, and the Balance by him or them stated in the Book of Accounts required to be kept in the Office of the Clerk of such Commissioners; and that no charge or item in such Accounts shall be binding on the Parties concerned, or be valid in law, unless the same shall be duly allowed by such Person or Persons.

Turnpike Roads (Ireland).

97.

Clause for Qualification of Commissioners.

THAT in every Bill for making a Turnpike Road in Ireland, or for the continuing or amending any Act passed for that purpose, or for the increase or alteration of the existing Tolls, Rates or Duties upon any such Road, or for widening or diverting any such Road, a Clause be inserted, to prevent any Person who shall be nominated a Commissioner, from acting or voting in the business of the said Turnpike, unless he shall be possessed of an Estate in Land, or of a Personal Estate, to such certain value as shall be specified in such Bills; and that such Qualification be extended to the Heirs apparent of Persons possessed of an Estate in Land to a certain value to be specified.

Committee on Divorce Bill.

DUTY OF SELECT COMMITTEE ON DIVORCE BILLS.

98.

What Evidence to be given in Divorce Cases.

That the Select Committee on Divorce Bills shall require evidence to be given before them that an action for damages has been brought in one of Her Majesty's Courts of Record at Westminster, or in one of Her Majesty's Courts of Record in Dublin, or in one of Her Majesty's Supreme Courts of Judicature of the Presidencies of Calcutta, Madras, Bombay or the Island of Ceylon, respectively, against the persons supposed to have been guilty of Adultery, and judgment for the plaintiff had thereupon; or sufficient cause to be shown to the satisfaction of the said Committee why such action was not brought, or such judgment was not obtained.

99.

When Petitioner for Bill to attend Committee.

That the Select Committee on Divorce Bills shall, in all cases in which the Petitioner for the Bill has attended the House of Lords upon the Second Reading of the Bill, require him to attend before them to answer any questions they may think fit that he should answer.

100.

Committee to report Bill in all cases.

That the Select Committee on Divorce Bills shall report every such Bill to The House, whether such Committee shall or shall not have agreed to the Preamble, or gone through the several Clauses, or any of them.

III.

THE ORDERS REGULATING THE PRACTICE OF THE HOUSE WITH REGARD TO PRIVATE BILLS.

Practice of the House.

PRACTICE OF THE HOUSE WITH REGARD TO PRIVATE BILLS.

101.

Petition for Bill, and how to be signed.

THAT no Private Bill be brought into this House, but upon a Petition first presented, with a printed copy of the proposed Bill annexed: And that such Petition be signed by the Parties, or some of them, who are Suitors for the Bill.

102.

Petitions, when to be presented.

THAT all Petitions for Private Bills be presented within *Twenty-one* days after the *First Friday* in every Session of Parliament.

103.

Petitions for Private Bills, &c. and Lords' Bills to be referred to Committee on Petitions.

THAT all Petitions for Private Bills, with their annexed Bills, and all Petitions for additional Provision in Private Bills, with the proposed Clauses annexed, and all Estate Bills brought from the House of Lords, after having been read a First Time, shall be referred to the Select Committee on Petitions for Private Bills.

104.

Time between presentation of Petition and Meeting of Sub-Committee.

THAT there be *Ten* clear days between the day on which the Petition for any Private Bill relating to *England* shall be presented, and the day on which the Sub-Committee shall sit thereupon; and *Fifteen* days, in case such Bill shall relate to *Scotland* or *Ireland*.

105.

Reports that Standing Orders have not been complied with, to be referred to Committee on Standing Orders.

THAT all Reports of the Select Committee on Petitions for Private Bills, in which they shall report that the Standing Orders have not been complied with, be referred to the Select Committee on Standing Orders.

106.

Petitions for leave, &c. to be referred to Committee on Standing Orders.

THAT all Petitions for leave to dispense with any of the Sessional Orders of The House relating to Private Bills, be referred to the Select Committee on Standing Orders.

107.

Printed Bill to be presented.

THAT every Private Bill printed on paper, of a size to be determined upon by Mr. Speaker, be presented to The House, with a Cover of Parchment attached to it, upon which the Title of the Bill is to be written; and the short Title of the Bill, as first entered on the Votes, shall be in accordance with the subject matter of the Bill, and shall not be changed unless by special order of The House.

108.

Rates, Tolls and other Matters to be inserted in *Italics*.

THAT the proposed amount of all Rates, Tolls, and other matters heretofore left blank in any Private Bill when presented to The House, be inserted in *Italics* in the printed Bill.

109.

What Bills to be printed, and when.

THAT every Private Bill (except Name and Naturalization Bills) be printed; and printed copies thereof delivered to the door-keepers for the use of the Members before the First Reading.

110.

Time between First and Second Reading.

THAT there be *Three* clear *days* between the First and Second Reading of every Private Bill.

111.

No Petition complaining of Standing Orders—subsequent to Second Reading of Bills.

THAT this House will not receive any Petition complaining solely of a non-compliance with the Standing Orders of The House in respect of any Private Bill, subsequently to the Second Reading of such Bill, unless in the case of those Standing Orders which must necessarily be taken into consideration by the Committee on the Bill.

112.

Second Reading not to take place till Two Months after last Notice.

THAT no Private Bill be read a *Second* time, until after the expiration of *Two calendar months* from the day the last Notice shall have been given in the Newspaper.

113.

Breviate to be prepared.

THAT a Breviate of every Private Bill (except Divorce, Name, Naturalization, and Estate Bills, brought from the House of Lords, and not relating to Crown, Church or Corporation Property, or Property held in trust for public or charitable purposes) be prepared under the direction of Mr. Speaker, and that such Breviate shall contain a Statement of the Object of the Bill and a Summary of the proposed Enactments, and shall state any variation from the general law which will be effected by the Bill.

114.

Breviate to be laid on Table Three days before Second Reading of Bill.

THAT no Private Bill be read a *Second* time until *Three* clear *days* after the Breviate thereof shall have been laid on the Table of The House, and have been printed.

115.

When Fees to be paid.

THAT no Private Bill, or Clause, for the particular interest or benefit of any Person or Persons, County or Counties, Corporation or Corporations, or Body or Bodies of People, be read a Second time, unless Fees be paid for the same.

116.

Bills referred to Committee of Selection.

THAT every Private Bill, not being a Divorce Bill, after having been read a Second time and committed, shall be referred to the Committee of Selection; and every Divorce Bill shall be referred to the Select Committee on Divorce Bills.

117.

Time between Second Reading and Committee.

THAT there be *Seven* clear *days* between the Second Reading of every Private Bill, and the sitting of the Committee thereupon.

118.

Report of Bill when printed as amended, to lie on Table.

THAT the Report upon every Private Bill ordered to be printed as amended in Committee, shall lie upon the Table.

119. THAT

Practice of the House.

119.

THAT a Breviate of the amendments made in every Committee on a Private Bill be submitted to the Chairman of the Committee of Ways and Means, and also laid upon the Table of The House at least the day previous to the consideration of the Report of such Bill.

Breviates of Bills amended in Committee to be laid before Chairman of Ways and Means, &c.

120.

THAT every Private Bill, as amended in Committee, excepting in the cases wherein the Committee shall report the amendments to be merely verbal or literal, be printed at the expense of the Parties applying for the same; and be delivered to the Doorkeepers for the use of the Members, *Three* clear *days* at least before the consideration of the Report.

Bill to be printed after report.

121.

THAT when any Clause or Amendment is offered upon the Report, or the consideration of the Report, or the Third Reading of any Private Bill, such Clause or Amendment shall be referred to the Select Committee on Standing Orders: That such Clause shall be printed: And when any Clause is proposed to be amended, it shall be printed *in extenso*, with every addition or substitution in different type, and the omissions therefrom included in brackets.

Clauses and Amendments proposed on Report or Third Reading to be referred to Select Committee on Standing Orders.

122.

THAT when any Clause or Amendment upon the Report, or the consideration of the Report, or the Third Reading of any Private Bill, shall have been referred to the Select Committee on Standing Orders, no further proceeding on either of such stages shall be had until the Report of the said Select Committee shall have been brought up.

When referred, no further proceeding to be had until Report of Select Committee on Standing Orders.

123.

THAT in order to afford opportunity for the proper discussion of the *Reports* on *Railway Bills* included in the second class, this House will upon *every Tuesday* proceed to the consideration of Reports on such Bills.

Reports on Railway Bills to be discussed upon every Tuesday.

124.

THAT no Private Bill shall pass through two stages on one and the same day without the special leave of The House.

Bill not to proceed two stages on same day.

125.

THAT (except in cases of urgent and pressing necessity) no motion be made to dispense with any Sessional or Standing Order of The House without due notice thereof.

Notice to be given of motion for dispensation

IV.

THE ORDERS REGULATING THE PRACTICE IN THE PRIVATE BILL OFFICE.

Practice in the Private Bill Office.

PRIVATE BILL OFFICE.

126.

Private Bill Office and Register.

THAT a Book, to be called "THE PRIVATE BILL REGISTER," be kept in a Room, to be called "THE PRIVATE BILL OFFICE," in which Book shall be entered by the Clerks appointed for the business of that Office, the Name, Description and Place of Residence of the Parliamentary Agent in Town, and of the Agent in the Country (if any) soliciting the Bill; and all the Proceedings, from the Petition to the passing of the Bill:—Such Entry to specify, briefly, each day's Proceeding in The House, or in any Committee to which the Bill or Petition may be referred; the day and hour on which the Committee is appointed to sit; the day and hour to which such Committee may be adjourned, and the name of the Committee Clerk. Such Book to be open to public inspection daily, in the said Office, between the hours of Eleven and Six.

127.

Plans, &c. to be lodged.

THAT all Plans, Sections, Books of Reference, Lists of Owners and Occupiers, Estimates, Copies of the Subscription Contracts, and Declarations required by the Standing Orders of The House, be lodged in the Private Bill Office; and that the receipt thereof be acknowledged accordingly, by one of the Clerks of the said Office, upon the said Documents, and upon the Petition, before it is presented.

128.

Copy of Bill annexed to Petition to be deposited in Private Bill Office.

THAT a copy of every Bill annexed to a Petition be deposited in the Private Bill Office on the day of The Presentation of the Petition to The House; and that such Bill be open to the inspection of all parties.

129.

Notice of Meeting of Sub-Committee on Petition, &c.

THAT *Ten* clear *days'* notice in writing be given by the Agent for the Bill to the Clerks in the Private Bill Office of the meeting of any *Sub-Committee* on a Petition for a Private Bill, and *One* clear *day's* notice of the meeting of any Sub-Committee on a Petition for additional Provision, or on an Estate Bill brought from the House of Lords; and that no such notices respectively be given until after such Petition shall have been presented, or such Estate Bill read a First Time.

130.

Notice of Postponement of Sub-Committee.

THAT *One* clear *day's* notice in writing be given by the Agent for the Bill, to the Clerks in the Private Bill Office, of the postponement of the first meeting of any Sub-Committee on a Petition for a Private Bill, or on a Petition for additional Provision, or on an Estate Bill brought from the House of Lords.

131.

Examination Book.

THAT after each Private Bill has been read the First time, its Name (or short Title) shall be copied by the Clerks of the Private Bill Office, from the Clerk's Minute Book of the day, into a

Practice in the Private Bill Office.

separate Book, to be called "THE EXAMINATION BOOK;"—wherein shall be noted the number of such Bill, according to the priority of its being read, and the date of the day of such First Reading.

132.

Custody of Bills.

THAT every Private Bill, after it has been read the First time, and the Title copied and examined for the Votes, be in the custody of the Clerks of the Private Bill Office, until laid upon the Table for the Second Reading; and when committed, be taken by the proper Committee Clerk into his charge, till reported.

133.

Examination of Bill and Breviate.

THAT between the First and Second Reading of every Private Bill, every such Bill shall, according to its priority, be examined, with all practicable despatch, by the Clerks of the Private Bill Office, as to its conformity with the Rules and Standing Orders of The House; and if *not* in due form, the Examining Clerk shall specify thereon the page in which any irregularity occurs, and shall enter the day of such Examination, together with his own Name, in the Examination Book.

134.

Notice of Second Reading.

THAT *Three* clear *days'* Notice in writing be given by the Agent for the Bill, to the Clerks in the Private Bill Office, of the day proposed for the Second Reading of every Private Bill.

135.

Notice of Committee.

THAT *Seven* clear *days'* Notice, and in the case of a re-committed Bill, *Three* clear *days'* Notice, in writing, be given by the Agent for the Bill, to the Clerks in the Private Bill Office, of the day and hour appointed for the meeting of the Committee on every Private Bill; and that all the proceedings of any Committee of which such Notice shall not have been given, be void.

136.

Filled-up Bill, to be deposited in Private Bill Office.

THAT a filled-up Bill, signed by the Agent for the Bill, as proposed to be submitted to the Committee on the Bill, and in the case of a re-committed Bill, a filled-up Bill, as proposed to be submitted to the Committee on re-committal, be deposited in the Private Bill Office at the time of giving notice of the meeting of the Committee on every Private Bill; and that all Parties shall be entitled to a Copy thereof, upon payment of the Charges for making out Amendments of such Bill.

137.

Notice of Postponement.

THAT *One* clear *day*'s notice, in writing, countersigned by a Committee Clerk, be given by the Agent for the Bill, to the Clerks in the Private Bill Office, of the postponement of the first meeting of any Committee on a Private Bill.

138.

Notice of Adjournment

THAT Notice, in writing, be given by the Committee Clerk to the Clerks in the Private Bill Office, of the day and hour to which each Committee is adjourned.

139. THAT

Practice in the Private Bill Office.

139.

Notice of Report and of consideration of Report.

THAT *One* clear *day*'s Notice, in writing, be given by the Agent for the Bill, to the Clerks in the Private Bill Office, of the day proposed for the Report of every Private Bill, and also for the consideration of the Report of every Private Bill ordered to lie upon the Table.

140.

Bill as amended in Committee to be delivered in.

THAT the Committee Clerk, after the Report is made out, do deliver in to the Private Bill Office a printed Copy of the Bill, with the written Amendments made in the Committee; in which Bill, all the Clauses added by the Committee shall be regularly marked in those parts of the Bill wherein they are to be inserted.

141.

Notice to be given of Clauses, &c. on Report, or consideration of Report, or Third Reading.

THAT when it is intended to bring up any Clause or to propose any Amendment on the Report, or the consideration of the Report, or on the Third Reading of any Private Bill, Notice shall be given thereof, in the Private Bill Office, on the day previous to such Report, or consideration of the Report, or Third Reading.

142.

Notice of Third Reading.

THAT *One* clear *day*'s Notice, in writing, be given by the Agent for the Bill, to the Clerks in the Private Bill Office, of the day poposed for the *Third Reading* of every Private Bill; and that no such Notice be given until after the Bill to which it relates shall have been reported, or the Report thereof considered.

143.

Amendments on Report, or consideration of Report, and Third Reading.

THAT the Amendments (if any) which are made upon the Report, or consideration of the Report, and on the Third Reading of any Private Bill, and also such Amendments made by the House of Lords as shall have been agreed to by this House, be entered by one of the Clerks in the Private Bill Office, upon the printed Copy of the Bill as amended in Committee; which Clerk shall sign the said Copy so amended, in order to its being deposited and preserved in the said Office.

144.

Examination of Ingrossments.

THAT to insure the Accuracy of the Ingrossment of all Private Bills, the Clerk of the House be required to provide a sufficient number of Clerks, to be called EXAMINERS of INGROSSMENTS.

145.

Certificate of Examination.

THAT no Private Bill be read a Third time until a Certificate is indorsed upon the Paper Bill, and signed by one or more of the Examiners of Ingrossments, declaring that the Ingrossment thereof has been examined, and agrees with the Bill, as amended in Committee, and on the consideration of the Report.

146.

Notice of consideration of Lords' Amendments.

THAT when Amendments made by the House of Lords to any Private Bill sent up to them are to be taken into consideration, Notice be given thereof in the Private Bill Office, the day previous to the same being proposed to be taken into consideration.

147.

Time for delivering Notices.

THAT all *Notices* required to be given in the Private Bill Office be delivered in the said Office before *Six* of the clock in the *Evening* of any day on which The House shall sit, and before *Two* of the Clock on any day on which The House shall not sit; and that after any day on which The House shall have adjourned, no Notice shall be given for the first day on which it shall again sit.

148.

Daily Lists of Commit tees sitting.

THAT the Clerks in the Private Bill Office do prepare, daily, Lists of all Private Bills, and Petitions for Private Bills upon which any Committee is appointed to sit; specifying the hour of meeting; and the Room where the Committee shall sit; and that the same be hung up in the Lobby of The House.

149.

Plans to be verified as Mr. Speaker shall direct.

THAT every Plan, and Book of Reference thereto, which shall be certified by The Speaker of the House of Commons, in pursuance of any Act of Parliament, shall previously be ascertained, and verified in such manner as shall be deemed most advisable by The Speaker, to be exactly conformable in all respects to the Plan and Book of Reference which shall have been signed by the Chairman of the Committee upon the Bill.

J. H. Ley
Cl. Dom: Com.
Lunæ 14.° Die Augusti
1843.

APPENDIX.

[Form referred to in Page 15.]

(A.)

No.

Sir,

We beg to inform you, that Application is intended to be made to Parliament in the ensuing Session for "An Act" [*here insert the Title of the Act*], and that the Property mentioned in the annexed Schedule, or some Part thereof, in which we understand you are interested as therein stated, will be required for the Purposes of the said Undertaking, according to the Line thereof as at present laid out, or may be required to be taken under the usual Powers of Deviation to the Extent of Yards on either side of the said Line which will be applied for in the said Act, and will be passed through in the Manner mentioned in such Schedule.

We also beg to inform you, that a Plan and Section of the said Undertaking, with a Book of Reference thereto, has been or will be deposited with the several Clerks of the Peace of the Counties of [*specify the Counties in which the Property is situate*], on or before the 30th of November, and that Copies of so much of the said Plan and Section as relates to the Parish in which your Property is situate, with a Book of Reference thereto, has been or will be deposited for public Inspection with the Clerk of the said Parish, Schoolmaster of the Parish, Town Clerk of the Royal Burgh, or the Postmaster of the Post Town in or near such Parish [*as the case may be*], on or before the 31st day of December instant, on which Plans your Property is designated by the Numbers set forth in the annexed Schedule.

As we are required to report to Parliament whether you assent to or dissent from the proposed Undertaking, or whether you are neuter in respect thereto, you will oblige us by writing your Answer of Assent, Dissent or Neutrality in the Form left herewith, and returning the same to us with your Signature on or before the day of next; and if there should be any Error or Misdescription in the annexed Schedule, we shall feel obliged by your informing us thereof, at your earliest convenience, that we may correct the same without delay.

We are, Sir,

Your most obedient servants,

To

SCHEDULE referred to in the foregoing Notice, and which is intended to show the Property therein alluded to, and the Manner in which the Line of the deposited Section will affect the same.

—	Parish, Township, Townland or Extra-parochial Place.	Number on Plans.	Description.	Owner.	Lessee.	Occupier.	Description of the Section of the Line deposited, and of the greatest Height of Embankment and Depth of Cutting.
Property in the Line as at present laid out.							

—	Parish, Township, Townland, or Extra-parochial Place.	Number on Plans.	Description.	Owner.	Lessee.	Occupier.	
Property within the Limits of the Deviation intended to be applied for.							

Appendix (B.)

ANNO PRIMO VICTORIÆ REGINÆ.

Cap. LXXXIII.

AN ACT to compel Clerks of the Peace for Counties and other Persons to take the Custody of such Documents as shall be directed to be deposited with them under the Standing Orders of either House of Parliament.

WHEREAS the Houses of Parliament are in the habit of requiring that, previous to the introduction of any Bill into Parliament for making certain bridges, turnpike-roads, cuts, canals, reservoirs, acqueducts, waterworks, navigations, tunnels, archways, railways, piers, ports, harbours, ferries, docks and other works, to be made under the authority of Parliament, certain maps or plans and sections, and books and writings, or extracts or copies of or from certain maps, plans or sections, books and writings, shall be deposited in the office of the clerk of the peace for every county, riding or division in England or Ireland, or in the office of the sheriff clerk of every county in Scotland, in which such work is proposed to be made, and also with the parish clerk in every parish in England, the schoolmaster of every parish of Scotland, or in Royal Burghs with the town clerk, and the postmaster of the post town in or nearest to every parish in Ireland, in which such work is intended to be made, and with other persons: And whereas it is expedient that such maps, plans, sections, books, writings and copies or extracts of and from the same, should be received by the said clerks of the peace, sheriff clerks, parish clerks, schoolmasters, town clerks, postmasters and other persons, and should remain in their custody for the purposes hereinafter mentioned; BE it therefore Enacted by The Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, That whenever either of the Houses of Parliament shall by its Standing Orders, already made or hereafter to be made, require that any such maps, plans, sections, books or writings, or extracts or copies of the same, or any of them, shall be deposited as aforesaid, such maps, plans, sections, books, writings, copies and extracts shall be received by and shall remain with the clerks of the peace, sheriff clerks, parish clerks, schoolmasters, town clerks, postmasters and other persons with whom the same shall be directed by such Standing Orders to be deposited, and they are hereby respectively directed to receive and to retain the custody of all such documents and writings so directed to be deposited with them respectively, in the manner and for the purposes and under the rules and regulations concerning the same respectively directed by such Standing Orders, and shall make such memorials and endorsements on and give such acknowledgments and receipts in respect of the same respectively as shall be thereby directed.

Clerks of the Peace, &c. to receive the Documents herein mentioned, and retain them for the purposes directed by the Standing Orders of the Houses of Parliament.

II. And be it further Enacted, That all persons interested shall have liberty to, and the said clerks of the peace, sheriff clerks, parish clerks, schoolmasters, town clerks and postmasters, and every of them, are and is hereby required, at all reasonable hours of the day, to permit all persons interested to inspect during a reasonable time and make extracts from or copies of the said maps, plans, sections, books, writings, extracts and copies of or from the same, so deposited with them respectively, on payment by each person to the clerk of the peace, sheriff clerk, clerk of the parish, schoolmaster, town clerk or postmaster having the custody of any such map, plan, section, book, writing, extract or copy, One Shilling for every such inspection, and the further sum of One Shilling for every hour during which such inspection shall continue after the first hour, and after the rate of Sixpence for every One hundred words copied therefrom.

Clerks of the Peace, &c. to permit such Documents to be inspected or copied by persons interested.

III. And be it further Enacted, That in case any clerk of the peace, sheriff clerk, parish clerk, schoolmaster, town clerk, postmaster or other person, shall in any matter or thing refuse or neglect to comply with any of the provisions hereinbefore contained, every clerk of the peace, sheriff clerk, parish clerk, schoolmaster, town clerk, postmaster or other person shall for every such offence forfeit and pay any sum not exceeding the sum of Five Pounds; and every such penalty shall, upon proof of the offence before any Justice of the Peace for the county within which such offence shall be committed, or by the confession of the party offending, or by the oath of any credible witness, be levied and recovered, together with the costs of the proceedings for the recovery thereof, by distress and sale of the goods and effects of the party offending, by warrant under the hand of such Justice, which warrant such Justice is hereby empowered to grant, and shall be paid to the person or persons making such complaint; and it shall be lawful for any such Justice of the Peace to whom any complaint shall be made of any offence committed against this Act to summon the party complained of before him, and on such summons to hear and determine the matter of such complaint in a summary way, and on proof of the offence to convict the offender, and to adjudge him to pay the penalty or forfeiture incurred, and to proceed to recover the same, although no information in writing or in print shall have been exhibited or taken by or before such Justice; and all such proceedings by summons without information shall be as good, valid and effectual to all intents and purposes as if an information in writing had been exhibited.

Clerks of the Peace, &c. for every omission to comply with the provisions of this Act, liable to the Penalty of 5 *l.*, to be recovered in a summary way.

Appendix.

Appendix (C.)

ANNO PRIMO & SECUNDO VICTORIÆ REGINÆ.

Cap. CXVII.

AN ACT to provide for the Custody of certain Monies paid in pursuance of the Standing Orders of either House of Parliament by Subscribers to Works or Undertakings to be effected under the Authority of Parliament.

WHEREAS it is expedient to provide for the custody of any sums of money paid in pursuance of any Standing Order of the Lords Spiritual and Temporal in Parliament assembled, or of the Commons in Parliament assembled, by subscribers to works or undertakings to be made under the authority of an Act of Parliament; BE it therefore Enacted by The Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, That in all cases in which any sum of money is required by any Standing Order of either House of Parliament, either now or hereafter to be in force, to be paid by the subscribers to any work or undertaking which is to be executed under the authority of an Act of Parliament, if the director or person or directors or persons having the management of the affairs of any such proposed work or undertaking, or any Five of them, shall apply to the Chairman of the Committees of the House of Lords with respect to any such money required by any Standing Order of the Lords Spiritual and Temporal in Parliament assembled, or to The Speaker of the House of Commons with respect to any such money required by any Standing Order of the Commons in Parliament assembled, the said Chairman or the said Speaker may, by warrant or order under his hand, direct that such sum of money shall be paid in manner hereinafter mentioned; that is to say, into the Bank of England in the name and with the privity of the Accountant-general of the Court of Exchequer in England, if the work or undertaking in respect of which the sum of money is required to be paid is intended to be executed in that part of the United Kingdom called England; or into the Bank of England in the name and with the privity of the said Accountant-general, or into any of the Banks in Scotland established by Act of Parliament or Royal Charter in the name and with the privity of The Queen's Remembrancer of the Court of Exchequer in Scotland, at the option of the person or persons making such application as aforesaid, in case such work or undertaking is intended to be executed in that part of the United Kingdom called Scotland; or into the Bank of Ireland in the name and with the privity of the Accountant-general of the Court of Chancery in Ireland, in case such work or undertaking is intended to be made or executed in that part of the United Kingdom called Ireland; and every such application as aforesaid to the said Chairman or Speaker shall be made in writing, and be signed by the director or directors or person or persons having the management of the said work or undertaking, or by any Five of them; and therein shall be stated the name or description of such work or undertaking, and name and place of abode or the names and places of abode of such director or directors, person or persons, and the sum of money required to be paid, and the bank and name into and in which the same is to be paid; and such particulars shall also be set forth in every such warrant or order; and such warrant or order shall be a sufficient authority for the Accountant-general of the said Court of Exchequer in England, the Queen's Remembrancer of the Court of Exchequer in Scotland, and the Accountant-general of the Court of Chancery in Ireland respectively, to permit the sum of money directed to be paid by such warrant or order to be placed to an account opened or to be opened in his name in the Bank mentioned in such warrant or order.

Authority to deposit.

II. And be it Enacted, That it shall be lawful for the person or persons named in such warrant or order, or the survivors or survivor of them, or any Five of them, to pay the sum of money mentioned in such warrant or order into the Bank mentioned in such warrant or order in the name and with the privity of the officer or person in whose name such sum shall be directed to be paid by such warrant or order, to be placed to his account there ex-parte the work or undertaking mentioned in such warrant or order; and every such sum so paid in, or the securities in or upon which the same may be invested as hereinafter mentioned, shall there remain until the same or such securities as aforesaid shall be paid out of such Bank in pursuance of the provisions of this Act: Provided always, That every sum paid into the Bank of England in the name and with the privity of the Accountant-general of the Court of Exchequer under the provisions of this Act, shall be paid in and placed to his account there pursuant to the method prescribed by an Act passed in the first year of the reign of his late Majesty King George the Fourth, intituled, "An Act for the better securing Money and Effects paid into the Court of Exchequer at Westminster on account of the Suitors of the said Court, and for the Appointment of an Accountant-general and Two Masters of the said Court, and for other Purposes, and pursuant to the General Orders of the said Court, and without Fee or Reward;" and every sum paid into the Bank of Ireland in the name and with the privity of the Accountant-general of the Court of Chancery in Ireland, under the provisions of this Act, shall

Payment of Deposit.

1 G. 4. c. 35.

shall be paid in and placed to his account pursuant to the method prescribed by an Act made and passed in the Parliament of Ireland in the twenty-third and twenty-fourth years of the reign of his late Majesty King GEORGE the Third, intituled, "An Act for the better securing the Monies and Effects of the Suitors of the Court of Chancery and Exchequer, by depositing the same in the National Bank, and to prevent the forging and counterfeiting any Draft, Order or other Voucher for the payment or Delivery of such Money and Effects, and for other Purposes," and pursuant to the general orders of the said Court, and without fee or reward. 23 & 24 G. 3. (I.)

III. And be it Enacted, That if the person or persons named in such warrant or order, or the survivor or survivors of them, or any Five of them, desire to have invested any sum so paid into the Bank of England or the Bank of Ireland, the court in the name of whose Accountant-general the same may have been paid, on a petition presented to such court in a summary way by him or them, may order that such sum shall, until the same be paid out of court in pursuance of this Act, be laid out in the Three per Centum Consolidated or Three per Centum Reduced Bank Annuities, or any Government security or securities. Investment of Deposit.

IV. And be it Enacted, That on the termination of the Session of Parliament in which the Petition or Bill for the purpose of making or sanctioning any such work or undertaking shall have been introduced into Parliament, or if such Petition or Bill shall be rejected or finally withdrawn by some proceeding in either House of Parliament, or shall not be allowed to proceed, or if an Act be passed authorizing the making of such work or undertaking; and if in any or either of the foregoing cases the person or persons named in such warrant or order, or the survivor or survivors of them, or the majority of such persons, apply by petition to the court in the name of whose Accountant-general the sum of money mentioned in such warrant or order shall have been paid, or to the Court of Exchequer in Scotland in case such sum of money shall have been paid in the name of the said Queen's Remembrancer, the court in the name of whose Accountant-general or Queen's Remembrancer such sum of money shall have been paid shall, by order, direct the sum of money paid in pursuance of such warrant or order, or the stocks, funds or securities in or upon which the same are invested, and the interest or dividends thereof, to be transferred and paid to the party or parties so applying, or to any other person or persons whom they may appoint in that behalf; but no such order shall be made in the case of any such Petition or Bill being rejected, or not being allowed to proceed, or withdrawn, unless it be proved by the certificate of the Chairman of Committees, if the said Petition or Bill was rejected or not allowed to proceed, or withdrawn in its passage through the House of Lords, or of the said Speaker, if the said Petition or Bill was rejected or not allowed to proceed, or withdrawn during its passage through the House of Commons, that the Petition or Bill has been either so rejected, or not allowed to proceed, or so withdrawn by some proceeding in one or other House of Parliament; which certificate the said Chairman or Speaker shall grant on the application in writing of the person or persons, or the majority of the persons, named in such warrant or order, or the survivor or survivors of them; and every such certificate shall be conclusive proof of such rejection, or not proceeding, or withdrawal. Repayment of Deposit.

STANDING ORDERS relative to PUBLIC MATTERS.

I.—Bills respecting Religion.

Religion.

THAT no Bill relating to Religion, or the alteration of the Laws concerning Religion, be brought into this House, until the Proposition shall have been first considered in a Committee of the whole House, and agreed unto by The House.

II.—Bills respecting Trade.

Trade.

THAT no Bill relating to Trade, or the alteration of the Laws concerning Trade, be brought into The House, until the Proposition shall have been first considered in a Committee of the whole House, and agreed unto by The House.

III.—Applications for Public Money.

Public Money

1.—THAT this House will receive no Petition for any Sum of Money, relating to Public Service, but what is recommended from The Crown.

2.—That this House will not proceed upon any Petition, Motion or Bill, for granting any Money, or for releasing or compounding any Sum of Money owing to The Crown, but in a Committee of the whole House.

3.—That this House will not receive any Petition for compounding any Sum of Money owing to The Crown, upon any branch of the Revenue, without a Certificate from the proper Officer or Officers annexed to the said Petition, stating the Debt, what Prosecutions have been made for the Recovery of such Debt, and setting forth how much the Petitioner and his Security are able to satisfy thereof.

4.—That this House will not proceed upon any Motion for an Address to The Crown, praying that any money may be issued, or that any expense may be incurred, but in a Committee of the whole House.

Relaxation of Privilege of The House, so far as relates to Pecuniary Penalties for Offences.

5.—That in any Bill which, having passed the House of Lords, shall be sent down to this House for their concurrence, or in any Bill which, having passed this House, shall be returned by the Lords with Amendments, it shall appear that any Pecuniary Penalty or Forfeiture is thereby imposed, varied or taken away, The Speaker shall, before the Second Reading of such Bill or Amendments, report to The House his Opinion, whether the object thereof be to impose, vary, or take away any Pecuniary Charge or Burthen on the Subject, or whether the same relates only to the punishment or prevention of Offences; and The House shall thereupon determine whether it may be expedient, in such particular case, to insist upon the exercise of their Privilege to originate all such provisions respecting pecuniary Penalties or Forfeitures.

IV.—Temporary Laws.

Temporary Laws.

THAT the precise duration of every Temporary Law be expressed in the Title of the Bill, and also in a distinct Clause at the end of the Bill, and no where else.

PRESENTATION of PUBLIC PETITIONS.

1.

THAT every Member offering to present a Petition to The House, not being a Petition for a Private Bill, or relating to a Private Bill before The House, do confine himself to a statement of the Parties from whom it comes, of the number of signatures attached to it, and of the material allegations contained in it, and to the reading of the prayer of such Petition.

2.

THAT every such Petition not containing matter in breach of the Privileges of this House, and which, according to the Rules or usual Practice of this House, can be received, be brought to the Table by the direction of The Speaker, who shall not allow any Debate, or any Member to speak upon, or in relation to, such Petition ; but it may be read by the Clerk at the Table, if required.

3.

THAT if such Petition relate to any matter or subject which the Member presenting it is desirous of bringing before The House, and if such Member shall state it to be his intention to make a Motion thereupon, such Member may give Notice that he will make a Motion on some subsequent day, That the Petition be printed with the Votes.

4.

THAT, in the case of such Petition complaining of some present personal grievance, for which there may be an urgent necessity for providing an immediate remedy, the matter contained in such Petition may be brought into discussion on the presentation thereof.

5.

THAT all other such Petitions, after they shall have been ordered to lie on the Table, be referred to the Committee on Public Petitions, without any Question being put.

6.

THAT, subject to the above regulations, Petitions against any Resolution or Bill imposing a Tax or Duty for the current service of the year, be henceforth received, and the usage under which The House has refused to entertain such Petitions be discontinued.

PROMULGATION of STATUTES.

ON 3d *June* 1801, an Address was agreed to, by both Houses;—To present to His Majesty the following RESOLUTIONS; and to entreat His Majesty to give Directions for the more speedy and general Promulgation of the Statutes of the Realm:—And on 9th *June* 1801, His Majesty's Answer thereto was reported, That His Majesty would give Directions accordingly.

1.

THAT it is expedient, for the more speedy and general Promulgation of the Laws of the United Kingdom of *Great Britain* and *Ireland*, that His Majesty's Printer should be authorized and directed to print not less than 5,500 Copies of every Public General Statute, and 306 Copies of every Public Local and Personal Statute.

2.

THAT His Majesty's Printer should be authorized and directed to print and deliver, or transmit (by the Post, or otherwise,) so soon as possible after each Bill has received the Royal Assent, the aforesaid number of 5,500 Copies of each Public General Statute.

3.

THAT His Majesty's Printer should be authorized and directed to print, and deliver or transmit in like manner, the aforesaid 306 Copies of each Public Local and Personal Statute.

4.

THAT every Chief Magistrate and Head Officer of any City, Borough or Town Corporate in *England* and *Ireland*, and of every Royal Burgh in *Scotland*, and every Sheriff, Clerk of the Peace, and Town Clerk, in the United Kingdom of *Great Britain* and *Ireland*, receiving any such Copies, should preserve them for the public Use, and transmit them to his Successor in office.

5.

THAT for the purpose of effectuating the Promulgation of Private Statutes (if the Parties interested therein shall think proper) and also for making compensation to the Clerk of the Parliaments and Officers of the House of Lords (in lieu of their annual average emoluments arising from the Office Copies of such Statutes) without bringing any new charge upon the Public, the Parties interested in every such Statute should make good such expense and compensation; "and that thereupon such printed Copies of every such Statute should be made judicially admissible in evidence, by adding thereto a Clause declaring the same to be a Public Act."

6.

THAT His Majesty's Printer should also be authorized and directed to class the General Statutes, and the Public Local and Personal Statutes of each Session, in separate Volumes, and to number the Chapters of each class separately; and also, to print One general Title to each Volume together with a general Table of all the Acts passed in that Session.

In Session 1803, it was resolved by both Houses of Parliament,

That so much of the 5th Resolution of the Lords and Commons, of the Session 1801, as provided that printed copies of Private Statutes shall be made judicially admissible in evidence by adding thereto a Clause declaring the same to be a public Act, shall be vacated;

That so much of the Resolutions of the Lords and Commons, of Session 1801, as relates to the printing and distribution of Private Acts of Parliament, shall be construed to extend only to such Acts of Parliament in which a Clause shall be inserted, declaring that such Act shall be printed by the Printer to the King's Most Excellent Majesty, and may be given in evidence in all Courts of Justice, and before all Judges and Justices, who shall take judicial notice thereof, in like manner as if the same had been declared to be a Public Act. Co. Jour. 58. 273. 281.

By 41 Geo. III. c. 90. s. 9. it was enacted,

That the Statutes of *England* and of *Great Britain*, printed and published by the King's Printer, shall be received as evidence in any Court in *Ireland*, and the Statutes of *Ireland* prior to the Union, so printed and published, shall be received as evidence in any Court in *Great Britain*.

REPORT

FROM THE

SELECT COMMITTEE

ON

STANDING ORDERS REVISION.

(1844.)

Ordered, by The House of Commons, *to be Printed,*
2 *August* 1844.

Lunæ, 22° *die Julii*, 1844.

Ordered, THAT a Select Committee be appointed "to consider whether any and what alterations in the Standing Orders of the House, respecting Private Bills, the experience of the present Session may show to be desirable, and to what extent, and under what restrictions, Committees on Private Bills may alter the Preambles of Private Bills:"—

Lord Granville Somerset.	Mr. Aglionby.
Sir George Grey.	Mr. Ewart.
Mr. Estcourt.	Sir Robert Ferguson.
Mr. Labouchere.	Viscount Sandon.
Mr. Greene.	Mr. Pendarves.
Mr. Strutt.	Mr. Miles.
Sir John Yarde Buller.	Mr. Loch.
Mr. Wilson Patten.	

Ordered, THAT the Committee have power to send for Persons, Papers, and Records; and that Five be the Quorum of the Committee.

Jovis, 1° *die Augusti*.

Three to be the Quorum.

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REPORT.

THE SELECT COMMITTEE appointed to consider whether any and what Alterations in the STANDING ORDERS of The HOUSE, respecting PRIVATE BILLS, the Experience of the present Session may show to be desirable;——HAVE considered the Matters to them referred, and have agreed to the following REPORT:

YOUR Committee have not on the present occasion considered that any important alterations in the Standing Orders of The House were called for; and they have, therefore, confined their attention chiefly to the introduction into their proper places of the Orders which The House have agreed to in the course of the Session.

The only alteration to which the Committee would draw the attention of The House, is that in Order 33, which makes applicable to all Bills of the Second Class, the reduction of the deposit from One-tenth to One-twentieth part of the amount subscribed for, which The House had sanctioned by an Order of the present Session in respect of Railway Bills.

2 August 1844.

PROCEEDINGS OF THE COMMITTEE.

Jovis, 1° *die Martii*, 1844.

PRESENT:

Lord Granville Somerset.
Sir J. Y. Buller.
Mr. Ewart.

Lord GRANVILLE SOMERSET called to the Chair.

Order 33, rescinded by mistake in the House, re-enacted, with amendments.

Order 34, rescinded by mistake in the House, re-enacted, with an amendment.

Other Orders amended.

Orders agreed to in the House during the Session, arranged.

Report agreed to.

[Chairman to report.

STANDING ORDERS.

PRIVATE BILLS:

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ABSTRACT of STANDING ORDERS relating to the passing of PRIVATE BILLS through The HOUSE of COMMONS.

STAGES OF THE PROCEEDINGS.	NOTICES AND APPLICATIONS.	DEPOSITS.	INTERVALS TO BE OBSERVED.
Previous to the commencement of Proceedings in The House.	No. of Standing Order. 15.—Notice in the London, Edinburgh or Dublin Gazettes [as the case may be], and in some one and the same County Paper, in Three successive Weeks of October and November, or either of them.	No. of Standing Order. 23.—Deposit with the Clerk of the Peace, Plans, Sections and Books of Reference on or before the 23*a*—Deposit at Board of Trade, Plans, &c. on or before the 30th of November. 27.—Deposit with the Parish Clerks, &c. &c., Parochial Plans, Sections and Books of Reference on or before the 31st of December. 28.—Deposit in the Private Bill Office, Plans, Sections and Books of Reference on or before the 31st of December.	No. of Standing Order.
Additional under special circumstances:			
If Lands or Houses to be taken.	17.—Application to Owners, Lessees and Occupiers on or before the 31st of December.		
If a First Class Bill -	18.—Notice on the Church Doors of all Parishes affected on Three successive Sundays in October and November, or either of them.	17.—Deposit in the Private Bill Office, Lists of Owners, Lessees and Occupiers, Estimates and Declarations, before the Presentation of the Petition.	
If to make a Burial Ground.	20.—Notice on the Church Doors of every adjoining Parish on Three successive Sundays in October and November, or either of them. 21.—Notice to the Owner and Occupier of every Dwelling-house within 300 Yards of the intended Burial Ground on or before the 31st of December.	44.—Deposit in the Private Bill Office, Copy of Deed of Partnership, or of Subscription Contract; also a Declaration.	
Presentation of the Petition for a Bill.	36.—Notice to Owners and Occupiers, if the Bill be to relinquish a work authorized by a former Act, before the Presentation of the Petition.	35.—Deposit in the Vote Office printed Copies of Subscription Contract, or of Declaration and Estimate, before the Presentation of the Petition.	102.—Petition to be presented within Twenty-one Days after the First Friday in the Session.
Committee on Petitions	129.—Notice in the Private Bill Office of the First Meeting of the Committee, Ten clear Days. 130.—Notice in the Private Bill Office of the Postponement of the First Meeting of the Committee, One clear Day.	- - - - - - - -	104.—Between the Presentation of Petition and the Meeting of the Committee, if an English Bill, Ten clear Days; if a Scotch or Irish Bill, Fifteen clear Days.
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ABSTRACT of Standing Orders relating to the passing of Private Bills through the House of Commons—*continued.*

STAGES OF THE PROCEEDINGS.	NOTICES AND APPLICATIONS.	DEPOSITS.	INTERVALS TO BE OBSERVED.
Committee on the Bill	No. of Standing Order. 135.—Notice in the Private Bill Office of the Meeting of the Committee, Seven clear Days.	No. of Standing Order. 136.—Deposit in the Private Bill Office a filled-up Bill, on giving Notice of the Committee.	No. of Standing Order. 117.—Between Second Reading and the Meeting of the Committee, Seven clear Days.
Postponement of the Committee.	137.—Notice in the Private Bill Office of the Postponement of First Meeting of the Committee, on the Day when Postponement is made.		
Re-committal of the Bill	135.—Notice in the Private Bill Office of the Meeting of the Committee, Three clear Days.	136.—Deposit in the Private Bill Office a filled-up Bill, as proposed to be submitted to the Committee, One clear Day before the Meeting of the Committee.	
Report - - -	139.—Notice in the Private Bill Office of the Report, and Consideration of the Report, One clear Day. 141.—Notice in the Private Bill Office of any Clause to be brought up, or Amendments to be made on the Report or Consideration of the Report, on the Day previous to such Report or Consideration.	120.—Deposit with the Door-keepers, Prints of the Bill as amended Three clear Days before the Report is considered.	
Third Reading -	142.—Notice in the Private Bill Office of the Third Reading, One clear Day. 141.—Notice in the Private Bill Office of any Clause to be brought up, or Amendments to be made on the Third Reading, on the Day previous to such Third Reading.		
Consideration of Lords' Amendments.	146.—Notice in the Private Bill Office of the Consideration of Lords' Amendments on the Day previous to such Consideration.		

I.

APPOINTMENT OF COMMITTEES.

Appointment of Committees.

STANDING ORDERS.

APPOINTMENT OF COMMITTEES.

1.

Committee on Petitions for Private Bills.

That a Committee be appointed at the commencement of every Session, consisting of *Forty-two* Members, of whom *Five* shall be a Quorum in opposed cases, and *Three* a Quorum in unopposed cases; and such Committee shall be denominated "The Select Committee on Petitions for Private Bills."

2.

Sub-Committees on Petitions for Private Bills.

That the Select Committee on Petitions for Private Bills have leave to divide themselves into Sub-Committees, each consisting of *Seven* Members at the least, and to make regulations for the transaction of business.

3.

Committee on Standing Orders.

That a Committee be appointed at the commencement of every Session, consisting of *Eleven* Members, including the Chairmen of the Committee and of the Sub-Committees on Petitions for Private Bills, of whom *Five* shall be a Quorum; and such Committee shall be denominated "The Select Committee on Standing Orders."

4.

Committee Selection.

That a Committee be appointed at the commencement of every Session, consisting of the Chairman of the Select Committee on Standing Orders and of the Chairmen of the Committee and of the Sub-Committees on Petitions for Private Bills, of whom *Three* shall be a Quorum; and such Committee shall be denominated "The Committee of Selection."

5.

Committee on Opposed Private Bills.

That the Committee on every "Opposed Private Bill," not being a Divorce Bill, shall consist of the Members on The Speaker's List of that County or that Division of a County to which the Bill specially relates, and of such number of "Selected Members" not locally interested in the Bill in progress, and in such proportion, as the circumstances of each case shall in the judgment of the Committee of Selection require, of which Committee *Five* (including the Quorum of selected Members) shall be a Quorum.

Appointment of Committees.

6.

Committee on Unopposed Private Bills.

THAT the Committee on every "Unopposed Private Bill," not being a Divorce Bill, and which shall have originated in this House, shall consist of the Chairman of the Committee of Ways and Means, together with the Members ordered to prepare and bring in the Bill; and that the Committee on every "Unopposed Private Bill," not being a Divorce Bill, which shall have been brought from the House of Lords, shall consist of the Chairman of the Committee of Ways and Means, and of not less than *Two* other Members to be named by the Committee of Selection; and that the Chairman of the Committee of Ways and Means shall be the Chairman of the Committee on every "Unopposed Private Bill," not being a Divorce Bill; and that such Chairman and *One* of such other Members shall be the Quorum required to be present during the whole progress of the Bill through such Committee.

7.

Committee on Divorce Bills.

THAT a Committee be appointed at the commencement of every Session, consisting of not more than *Fifteen* Members, of whom *Five* shall be a Quorum; and such Committee shall be denominated "THE SELECT COMMITTEE ON DIVORCE BILLS."

8.

Members not to be added to Committee, except by special order.

THAT after any Committee on a Private Bill shall have been formed, no Members be added thereto, unless by special order of The House.

II.

DUTIES OF COMMITTEES.

Committee on Petitions.

DUTY OF THE SELECT COMMITTEE ON PETITIONS FOR PRIVATE BILLS.

9.

Compliance with Standing Orders to be proved before Sub-Committee.

THAT the compliance with the following Standing Orders shall be proved before one of the Sub-Committees of the Select Committee on Petitions for Private Bills, and any parties shall be at liberty to appear and be heard, by themselves, their agents and witnesses, upon any Petition which may be referred to such Committee, complaining of a non-compliance with the Standing Orders, provided the matter complained of be specifically stated in such Petition, and that such Petition be presented *Three* clear days before the first meeting of such Sub-Committee.

10.

Proof of Notices on Church-doors, where Bills relate to *England*.

THAT in the case of any application for a Private Bill relating to *England*, the Committee may admit proof of the compliance with the Standing Orders which refer to the affixing to the Church-doors the requisite Notices, on the production of affidavits sworn before any Justices in Petty Sessions assembled, for the division within which the Churches on which the Notices have been affixed shall be respectively situated.

11.

Standing Orders may be proved on Affidavit.

Scotland.

THAT in the case of any application for a Private Bill relating to *Scotland*, the Committee may admit proof of the compliance with the Standing Orders of this House, on the production of Affidavits sworn before any Sheriff Depute or his Substitute there, whose Certificate shall be admitted as evidence of such proof having been made, unless the Committee shall require further evidence.

12.

Standing Orders may be proved on Affidavit.

Ireland.

THAT in the case of any application for a Private Bill relating to *Ireland*, the Committee may admit proof of the compliance with the Standing Orders of The House, on the production of Affidavits sworn before any Judge or Assistant Barrister of that part of the United Kingdom, whose Certificate shall be admitted as evidence of such proof having been made, unless the Committee shall require further evidence.

13.

Sub-Committee to report facts when Standing Orders have not been complied with.

THAT when the Sub-Committee shall report to The House that the Standing Orders have not been complied with, they do report the facts upon which their decision is founded, and any special circumstances connected with the case.

Committee on Petitions.

14.

Notices of Application.

THAT Notices be given in all cases where Application is intended to be made for leave to bring in a Bill relating to the subjects included in any of the following Classes:—

1st CLASS.—Burial Ground, Making, Maintaining or Altering.
Church or Chapel, Building, Enlarging, Repairing or Maintaining.
City or Town, Paving, Lighting, Watching, Cleansing or Improving.
Crown, Church, or Corporation Property, or Property held in Trust for Public or Charitable Purposes.
Fishery, Making, Maintaining or Improving.
Land, Inclosing, Draining or Improving.
Market or Market-place.
Local Court, Constituting.
Market or Market-place, Erecting, Improving, Repairing, Maintaining, or Regulating.
Poor, Maintaining or Employing.
Poor Rate.
Stipendiary Magistrate, or any Public Officer, Payment of, if not out of County Rate.

2d CLASS.—Making, Maintaining, Varying, Extending or Enlarging any

Aqueduct.	Navigation.
Archway.	Pier.
Bridge.	Port.
Canal.	Railway.
Cut.	Reservoir.
Dock.	Tunnel.
Ferry.	Turnpike Road.
Harbour.	Waterwork.

3d CLASS.—Continuing or amending an Act passed for any of the purposes included in this or the two preceding Classes, where no further work than such as was authorized by a former Act is proposed to be made.
Company, Incorporating or giving Powers to.
County Rate.
County or Shire Hall, Court House.
Gaol or House of Correction.
Letters Patent, Confirming, Prolonging or Transferring the Term of.
Powers to sue and be sued, Conferring.
Stipendiary Magistrate, or any Public Officer, Payment of, if out of County Rate.

15.

Notices to be published.

THAT such Notices be published in *Three* successive *Weeks* in the months of *October* and *November*, or either of them, immediately preceding the Session of Parliament in which Application for the Bill shall be made, in the *London*, *Edinburgh* or *Dublin Gazette*, as the case may be, and in some one and the same Newspaper of the County in which the City, Town or Lands to which such Bill relates shall be situate; or if there be no Newspaper published therein, then in the Newspaper of some County adjoining or near thereto; or if such Bill do not relate to any particular City, Town or Lands, in the *London*, *Edinburgh* or *Dublin Gazette* only, as the case may be; and that all Notices required to be inserted in the *London*, *Edinburgh* or *Dublin Gazette*, be delivered at the Office of the Gazette in which the insertion is required to be made, during the usual office

Committee on Petitions.

office hours, at least *Two* clear *days* previous to the publication of the Gazette, and that the receipt of the Printer for such Notice shall be proof of its due delivery.

16.

Intention to levy or alter Tolls to be stated.

THAT if it be the intention of the Parties applying for leave to bring in a Bill, to obtain powers for the compulsory purchase of Lands or Houses, or to levy any Tolls, Rates or Duties, or to alter any existing Tolls, Rates or Duties, or to confer, vary, or extinguish any exemptions from payment of Tolls, Rates or Duties, or any other rights or privileges, the Notices shall specify such intention.

17.

Application to Owners, &c.

THAT on or before the 31st day of *December* immediately preceding the application for a Bill by which any Lands or Houses are intended to be taken, or an extension of the time granted by any former Act for that purpose is sought, application in writing, (and in cases of Bills included in the second class, in the form, as near as may be, set forth in the Appendix marked (A.)), be made to the Owners or reputed Owners, Lessees or reputed Lessees, and Occupiers, either by delivering the same personally, or by leaving the same at their usual Place of Abode, or in their absence from the United Kingdom, with their Agents respectively, of which application having been duly made, the production of a written acknowledgment by the party applied to of the receipt of such application, shall be sufficient evidence, in the absence of other proof, of the same having been duly delivered or left as aforesaid; and that separate Lists be made of the Names of such Owners, Lessees and Occupiers, distinguishing which of them have assented, dissented, or are neuter in respect thereto. (*See* as to depositing said Lists in Private Bill Office, page 53, No. 127.)

ORDERS specially relating to BILLS of the FIRST CLASS.

18.

Notices on Church Doors.

THAT in cases of Bills included in the First Class, Notices shall also be affixed to the Outer Doors of the Churches of every Parish to which they specially relate, for *Three* successive *Sundays* in the months of *October* and *November*, or either of them.

Crown, &c. Property.

19.

Notice to Owners, &c.

THAT in cases of intended Application to Parliament for Bills relating to Crown, Church or Corporation Property, or Property held in Trust for Public or Charitable Purposes, Notice in writing of such intention be given to the Owners or reputed Owners of such Property, and to the Lessees or reputed Lessees of such Property, holding Leases granted for a life or lives, or for any term of Twenty-one Years or upwards; such Notice to be given as aforesaid previous to the Presentation of the Petition for leave to bring in the Bill, or, in the case of a Bill brought from The House of Lords, previous to the First Reading thereof.

Committee on Petitions.

Burial Grounds.

20.

Notices on Church Doors.

THAT Notices be affixed to the Outer Doors of the Churches of every Parish adjoining that in which a Burial Ground is proposed to be made, for *Three* successive *Sundays* in the months of *October* and *November*, or either of them.

21.

Notice to Owners and Occupiers of Houses.

THAT on or before the *Thirty-first* day of *December* immediately preceding the Application for any Bill for making a Burial Ground, Notice be given to the Owner and Occupier of every Dwelling House situated within 300 Yards of the Boundary of the proposed Burial Ground.

ORDERS specially relating to BILLS of the SECOND CLASS.

22.

Notices to contain Names of Parishes, &c.

THAT in cases of Bills included in the Second Class, all Notices shall contain the Names of the Parishes, Townships, Townlands and extra-parochial places from, in, through, or into which the Work is intended to be made, maintained, varied, extended or enlarged, and shall state the time and place of deposit of the Plans, Sections and Books of Reference respectively, with the Clerks of the Peace, Parish Clerks, Schoolmasters, Town Clerks and Postmasters, as the case may be. (*See* Nos. 23 & 27.)

23.

Plans, &c. with Clerk of the Peace.

THAT a Plan, and also a duplicate of such Plan, on a scale of not less than Four Inches to a Mile, be deposited for public inspection at the office of the Clerk of the Peace for every County, Riding or Division in *England* or *Ireland*, or in the Office of the Principal Sheriff Clerk of every County in *Scotland*, in or through which the Work is proposed to be made, maintained, varied, extended or enlarged, on or before the 30th day of *November*, immediately preceding the Session of Parliament in which Application for the Bill shall be made; which Plans shall describe the line or situation of the whole of the Work, and the Lands in or through which it is to be made, maintained, varied, extended or enlarged, or through which every communication to or from the Work shall be made, together with a Book of Reference containing the Names of the Owners or reputed Owners, Lessees or reputed Lessees, and Occupiers of such Lands respectively; and in the case of Bills relating to Turnpike Roads, Cuts, Canals, Reservoirs, Aqueducts and Railways, a Section and Duplicate thereof, as hereinafter described, shall likewise be deposited with such Plan and Duplicate.

23 *a*.

Plans, &c. at Board of Trade.

THAT in the case of Railway Bills, a Copy of all Plans, Sections, and Books of Reference, required by the Orders of the House to be deposited in the Office of any Clerk of the Peace or Sheriff Clerk, on or before the 30th day of November immediately preceding the Session of Parliament in which application for the Bill shall be made, shall on or before the same day be deposited in the Office of the Railway Department of the Board of Trade.

24. THAT

23 *a*.

This is a new Order for Railway Bills, as agreed to by the House in the present Session.

Committee on Petitions.

24.

Lands within Deviation to be on Plan.

THAT where it is the intention of the Parties to apply for powers to make any lateral deviation from the line of the proposed Work, the limits of such deviation shall be defined upon the Plan, and all Lands included within such limits shall be marked thereon, and that in all cases, excepting where the whole of such Plan shall be upon a scale of not less than a *quarter* of an *inch* to every 100 feet, an additional Plan of any Building, Yard, Court-Yard or Land within the curtilage of any Building, or of any Ground cultivated as a Garden, either on the original line or included within the limits of the said deviation, shall be laid down on the said Plan or on the additional Plan deposited therewith, upon a scale of not less than a *quarter* of an *inch* to every 100 feet. (*See* Fig. 3.)

Buildings, &c. on enlarged Scale.

25.

Section.

THAT the Section be drawn to the same horizontal scale as the Plan, and to a vertical scale of not less than *one inch* to every 100 feet, and shall show the surface of the ground marked on the Plan, and the intended level of the proposed Work, and a datum horizontal line, which shall be the same throughout the whole length of the Work, or any Branch thereof respectively, and shall be referred to some fixed point stated in writing on the Section, near either of the termini. (*See* Line D. D., Fig. 2.)

26.

Clerks of Peace to indorse a Memorial on Plans, &c.

THAT the Clerks of the Peace or Sheriff Clerks, or their respective Deputies, do make a Memorial in writing upon the Plans, Sections and Books of Reference so deposited with them, denoting the time at which the same were lodged in their respective offices, and do at all seasonable hours of the day permit any person to view and examine one of the same, and to make copies or extracts therefrom; and that *one* of the two Plans and Sections so deposited, be sealed up and retained in the possession of the Clerk of the Peace or Sheriff Clerk until called for by order of one of the Two Houses of Parliament. (*See* Appendix, Act 1 Vict. c. 83.)

27.

Plan and Section with Parish Clerk, &c.

THAT on or before the 31st day of *December*, a copy of so much of the said Plans and Sections as relates to each Parish in or through which the Work is intended to be made, maintained, varied, extended or enlarged, (*see* Fig. 5.), together with a Book of Reference thereto, be deposited with the Parish Clerk of each such Parish in *England*, the Schoolmaster of each such Parish in *Scotland*, (or in Royal Burghs with the Town Clerk), and the Postmaster of the Post-town in or nearest to such Parish in *Ireland*. (*See* Appendix, Act 1 Vict. c. 83.)

28.

Time for Deposit in Private Bill Office.

THAT on or before the 31st day of *December*, a copy of the said Plans, Sections and Books of Reference be deposited in the Private Bill Office of this House.

Committee on Petitions.

29.

Estimate and Subscription Contract.

THAT an Estimate of the Expense be made and signed by the person making the same, and that a Subscription be entered into under a Contract, made as hereinafter described, to *three-fourths* the amount of the Estimate. (*See* as to depositing Estimate and Subscription Contract in Private Bill Office, p. 53, No. 127.)

30.

Cases wherein Declaration may be substituted for Subscription Contract.

THAT in cases where the Work is to be made by means of Funds, or out of Money to be raised upon the credit of present Surplus Revenue, under the control of Directors, Trustees, or Commissioners, as the case may be, of any existing Public Work, a Declaration stating those facts, and setting forth the nature of such control, and the nature and amount of such Funds or Surplus Revenue, and given under the common seal of the Company, or under the hand of some authorized Officer of such Directors, Trustees or Commissioners, may be substituted in lieu of the Subscription Contract, and in addition to the Estimate of the Expense. (*See* as to depositing Subscription Contracts in Private Bill Office, p. 53, No. 127.)

31.

Cases wherein Declaration and Estimate of Amount of Rates may be substituted for Subscription Contract.

THAT in cases where the Work is to be made out of Money to be raised upon the Security of the Rates, Duties or Revenue to be created by or to arise under any Bill, under which no private or personal pecuniary profit or advantage is to be derived, a Declaration stating those facts, and setting forth the means by which Funds are to be obtained for executing the Work, and signed by the Party or Agent soliciting the Bill, together with an Estimate of the probable amount of such Rates, Duties or Revenue, signed by the Person making the same, may be substituted in lieu of the Subscription Contract, and in addition to the Estimate of the Expense. (*See* as to depositing Estimate and Subscription Contract in Private Bill Office, p. 53, No. 127.)

32.

Contract to contain Christian and Surnames of Parties.

THAT every Subscription Contract contain the Christian and Surnames, Description and Place of Abode of every Subscriber; his Signature to the amount of his Subscription, with the amount which he has paid up; and the Name of the Party witnessing such Signature, and the date of the same respectively.

33.

One-twentieth part of amount subscribed to be deposited,

THAT previous to the presentation of a Petition for a Bill, a sum equal to *One-twentieth* part of the amount subscribed shall be deposited with the Court of Chancery in *England*, if the Work is intended to be done in *England*, or with the Court of Chancery in *England* or the Court of Exchequer in *Scotland*, if such Work is intended to be done in *Scotland*, and with the Court of Chancery in *Ireland*, if such Work is intended to be done in *Ireland*. (*Vide* Appendix C.)

34. THAT

33.

This Order was rescinded unintentionally by The House during the present Session. The Committee have restored it, and made it similar to the new Order prescribing the amount of subscription to be deposited in the case of Railways.

34.

This Order was rescinded unintentionally by The House during the present Session. The Committee have restored it, with an Amendment, excepting Railway Bills from its operation.

Committee on Petitions.

34.

THAT no Subscription Contract shall be valid, excepting in the case of Railway Bills, (for which *see* Order 40), unless it be entered into subsequent to the close of the Session of Parliament previous to that in which application is made for leave to bring in the Bill to which it relates, and unless the Parties subscribing to it bind themselves, their Heirs, Executors and Administrators, for the Payment of the Money so subscribed.

Not valid unless entered into subsequent to close of previous Session.

35.

THAT previous to the presentation of a Petition for a Bill, copies of the Subscription Contract, with the Names of the Subscribers arranged in alphabetical order, and the amount of the Deposit respectively paid up by each such Subscriber, or where a Declaration and Estimate of the probable amount of Rates and Duties are substituted in lieu of a Subscription Contract, copies of such Declaration or of such Declaration and Estimate be printed at the expense of the Promoters of the Bill, and be delivered at the Vote Office for the use of the Members of The House.

Copies of Subscription Contract, or of Declaration, &c., to be printed, and delivered in Vote Office.

36.

THAT previous to the presentation of a Petition for a Bill whereby any part of a Work authorized by any former Act is intended to be relinquished, Notice in writing of such Bill be given to the Owners or reputed Owners and Occupiers of the Lands in which the part of the said Work intended to be thereby relinquished is situate.

Notice to Owners, &c., when the Bill is to abridge any Public Work.

Cuts, Canals, Reservoirs, Aqueducts and Navigations.

37.

THAT in all cases where it is proposed to divert into any intended Cut, Canal, Reservoir, Aqueduct, or Navigation, or into any intended variation, extension, or enlargement thereof respectively, any Water from any existing Cut, Canal, Reservoir, Aqueduct, or Navigation, whether directly or derivatively, and whether under any agreement with the Proprietors thereof or otherwise, the Notices shall contain the name of every such existing Cut, Canal, Reservoir, Aqueduct or Navigation, the Waters supplying which, by virtue of any Act of Parliament, will either directly or derivatively flow or proceed into any such intended Cut, Canal, Reservoir, Aqueduct, or Navigation, or into any intended variation, extension or enlargement thereof.

When it is intended to divert Water from an existing Cut, &c., into an intended Cut, &c., the name of the existing Cut, &c., to be mentioned.

38.

THAT in all cases where it is proposed to make, vary, extend or enlarge any Cut, Canal, Reservoir, Aqueduct or Navigation, the Plan shall describe the Brooks and Streams to be directly diverted into such intended Cut, Canal, Reservoir, Aqueduct or Navigation, or into any variation, extension or enlargement thereof respectively, for supplying the same with Water; it shall also exhibit the height of the several Embankments, and the depth of the several Cuttings respectively, on a scale specified thereon (*see* Fig. 1); and in cases of Bills for improving the Navigation of any

Plan to describe Brooks, &c. to be diverted.

Committee on Petitions.

River, there shall be a Section which shall specify the Levels of both Banks of such River, and where any alteration is intended to be made therein, it shall describe the same by feet and inches.

Railways.

39.

Copy of Bill annexed to Petition to be deposited at Board of Trade.

THAT in the case of Railway Bills, a Copy of every Bill annexed to a Petition be deposited in the Office of the Railway Department of the Board of Trade, on or before the day of presentation of the Petition to the House.

39 *a.*

One-twentieth part of Amount subscribed to be deposited.

THAT previous to the presentation of a Petition for a Railway Bill, a sum equal to One-twentieth part of the amount subscribed shall be deposited with the Court of Chancery in England, if the Railway is intended to be made in England; or with the Court of Chancery in England or the Court of Exchequer in Scotland, if such Railway is intended to be made in Scotland; and with the Court of Chancery in Ireland, if such Railway is intended to be made in Ireland.

40.

Subscription Contract not valid unless entered into subsequent to the last day of receiving Petitions in previous Session.

THAT as regards Railway Bills, no Subscription Contract shall be valid, unless it be entered into subsequent to the day fixed in the Session of Parliament previous to that in which application is made for leave to bring in the Bill to which it relates, as the last day on which Petitions for Private Bills may be presented, and unless the parties subscribing to it bind themselves, their heirs, executors and administrators, for the payment of the money so subscribed.

40 *a.*

Distances to be marked in Miles and Furlongs, and memorandum of Curves.

THAT in all cases where it is proposed to make, vary, extend, or enlarge any Railway, the Plan shall exhibit thereon the distances in miles and furlongs, from one of the termini; and a memorandum of the radius of every curve not exceeding one mile in length shall be noted on the Plan in miles and chains.

41.

Line of Railway on Section to correspond with upper surface of Rails.

THAT in every Section of a Railway, the Line marked thereon shall correspond with the upper surface of the rails.

41 *a.*

Vertical measures to be marked at change of gradient.

THAT distances on the Datum Line shall be marked in miles and furlongs, to correspond with those on the Plan; that a vertical measure from the Datum Line to the Line of the Railway shall be marked in feet and inches at each change of the gradient or inclination; and that the proportion or rate of inclination between each such change shall also be marked.

42.

Height of Railway, over or under surface, to be marked at every crossing of a Road, &c.

THAT the height of the Railway over or under the surface of every turnpike-road, public carriage-road, navigable River, Canal, or Railway, or junction with a Railway, shall be marked in figures

at

39. 39 *a.* 40. 40 *a.* 41. 41 *a.* 42. 43.

These are new Orders as regards Railway Bills agreed to by The House in the present Session.

at every crossing thereof, and the extreme height over or under the surface of the ground shall be marked for every embankment and cutting; and if any alteration in the present level or rate of inclination of any turnpike-road, carriage-road, or Railway be intended, then the same shall be stated on the said Section, and each numbered; also that Cross Sections, in reference to the said numbers, on a horizontal scale of one inch to every 330 feet, and on a vertical scale of one inch to every 40 feet, shall be added, to explain the nature of such alterations more clearly.

43.

Tunnelling and Viaduct to be marked.

THAT where tunnelling as a substitute for open cutting, or a viaduct as a substitute fo rsolid embankment, be intended, the tunnelling shall be marked by a dotted line on the Plan, and shall also be marked on the Section, and the viaduct shall be marked on the Section.

ORDERS specially relating to BILLS of the THIRD CLASS.

44.

Documents to be deposited in Private Bill Office.

THAT as respects all Bills of the Third Class for the Incorporation of Joint Stock Companies, or proposed Companies for carrying on any Trade or Business, or for conferring upon such Companies the power of suing and being sued, there be deposited in the Private Bill Office, previous to the Presentation of the Petition for the Bill, a copy of the Deed or Agreement of Partnership (if any) under which the Company or proposed Company is acting, or of the Subscription Contract (if any), together with a declaration in writing stating the following matters:—

1st.—The present and proposed amount of the Capital of the Company.

2d.—The number of Shares, and the amount of each Share.

3d.—The number of Shares subscribed for.

4th.—The amount of Subscriptions paid up.

5th.—The names, residences and descriptions of the Shareholders or Subscribers (so far as the same can be made out), and of the actual or provisional Directors, Treasurers, Secretaries or other officer, if any.

And such documents shall be verified by the signature of some authorized officer of the Company or proposed Company (if any), and by some responsible party promoting the Bill. (*See* as to depositing documents in Private Bill Office, Order, page 53, No. 127.)

Letters Patent.

45.

Name of Invention to be prefixed in Capitals to Notice.

THAT in cases of Bills for confirming or prolonging the terms of Letters Patent, each Notice shall have prefixed to it in Capital Letters the name by which the Invention is usually distinguished, and shall contain a distinct description of the Invention for which such Letters Patent have been obtained, and also an account of the Term of their Duration.

DUTY OF THE SELECT COMMITTEE ON STANDING ORDERS.

46.

Select Committee on Standing Orders to report whether Standing Orders ought or ought not to be dispensed with.

THAT when any Report of the Select Committee on Petitions for Private Bills, in which they shall report that the Standing Orders have not been complied with, shall have been referred to the Select Committee on Standing Orders, they shall report to The House whether such Standing Orders as have not been complied with ought or ought not to be dispensed with, and whether in their opinion the parties should be permitted to proceed with their Bill, or any portion thereof, and under what (if any) conditions.

47.

Select Committee on Standing Orders to report whether Sessional Order ought or ought not to be dispensed with.

THAT when any Petition for leave to dispense with any of the Sessional Orders of The House relating to Private Bills, shall have been referred to the Select Committee on Standing Orders, they shall report to The House whether such Sessional Orders ought or ought not to be dispensed with.

48.

Committee to report whether Clause and Amendment on Report ought to be adopted or not by House without Re-commitment.

THAT when any Clause or Amendment proposed to any Private Bill on the Report, or the Consideration of the Report thereof, shall have been referred to the Select Committee on Standing Orders, they shall report to The House whether such Clause or Amendment be of such a nature as not to be adopted by The House without the Re-commitment of the Bill, or of such a nature as to justify The House in entertaining it without recurring to that proceeding, or of such a nature as not in either case to be adopted by The House.

49.

Committee to report whether Clause or Amendment on Third Reading ought to be adopted or not by House at that stage.

THAT when any Clause or Amendment proposed to any Private Bill on the Third Reading shall have been referred to the Select Committee on Standing Orders, they shall report to The House whether such Clause or Amendment ought or ought not to be adopted by The House at that stage.

Committee of Selection.

DUTY OF THE COMMITTEE OF SELECTION.

50.

Opposed Bill to be referred to Speaker's List, &c.

THAT the Committee of Selection shall refer every Private Bill referred to them, when it be opposed, to the Speaker's List of that County or that Division of a County to which the Bill specially relates, and to such number of Members not locally interested in the Bill as the circumstances of the case shall in their judgment require.

51.

Quorum of Selected Members.

THAT the Committee of Selection shall in each case direct what number of the Members (not locally interested in the Bill) selected and added to the Speaker's List by them, shall be a Quorum of such Members.

52.

Notice to Selected Members.

THAT the Committee of Selection shall, after the name of any Member shall have been added by them to the Speaker's List, direct the Clerk attending them to give notice as soon as possible to such Member of his Name having been so added, and of the time when the Committee on the Bill shall have been appointed to meet.

53.

What Bills not to be considered opposed.

THAT the Committee of Selection shall consider no Bill as an opposed Private Bill where no Petition has been presented in which the Petitioners pray to be heard, by themselves, their Counsel or Agents, unless in cases where the Chairman of Ways and Means shall have reported to The House that in his opinion any Bill should be so treated.

54.

Unopposed Bills to be referred to the Chairman of Ways and Means, &c.

THAT the Committee of Selection shall refer every unopposed Private Bill referred to them, and which shall have originated in this House, to the Chairman of the Committee of Ways and Means, together with the Members ordered to prepare and bring in the Bill; and shall refer every unopposed Private Bill referred to them, which shall have been brought from the House of Lords, to the Chairman of the Committee of Ways and Means, together with not less than *Two* other Members, to be named by the Committee of Selection.

55.

Committee of Selection to appoint First Sitting of Committee.

THAT the Committee of Selection shall, subject to the order that there be *Seven* clear days between the Second Reading of every Private Bill and the Sitting of the Committee thereupon, fix the time for holding the *First Sitting* of every Committee on a Private Bill referred to them; but in the case of unopposed Private Bills, after communication with the Members who are to form the Committee on such Bill.

56.

Postponement of First Sitting.

THAT no Postponement of the First Sitting of any Committee on a Private Bill shall take place, unless such Postponement, and the Duration of it, shall have been sanctioned by the Committee of Selection.

Committee on the Bill.

DUTY OF THE COMMITTEE ON THE BILL.

Orders specially relating to the Committee on an Opposed Bill.

57.

That each Member appointed to serve as a Member of a Committee on an opposed Private Bill, whether he be on the Speaker's List or one of the Selected Members, before he be entitled to attend and vote on such Committee, shall (according to the class to which he may belong) sign one of the following Declarations. Members of Committee to sign Declaration.

58.

That the following shall be the several Forms of Declaration :— Declaration of Member on Speaker's List.

No. 1.—Declaration of a Member whose Name is on the List prepared under the direction of Mr. Speaker for . . .

I, A. B., being one of the Members whose name is on the List prepared under the direction of Mr. Speaker, to which List the Bill for . . . . . has been committed, do hereby declare, That I will never vote on any question which may arise without having duly heard and attended to the Evidence relating thereto.

Memorandum.—*The Declaration, signed as aforesaid, must be delivered to the Clerk of the Committee on the Bill before the Committee shall proceed to appoint a Chairman, otherwise the Member signing the same shall not be entitled to attend or vote.*

No. 2.—The Declaration of a Member whose Name has been added to the List prepared under the direction of Mr. Speaker by the Committee of Selection, his constituents having no local interest in the Bill for . . . . . Declaration of selected Member.

I, C. D., being one of the Members selected and added to the List by the Committee of Selection, to which List the Bill for . . . . . has been committed, do hereby declare, That my constituents have no local interest, and that I have no personal interest, in such Bill; and that I will never vote on any question which may arise without having duly heard and attended to the Evidence relating thereto.

Memorandum.—*The Declaration, signed as aforesaid, must be delivered to the Clerk of the Committee on the Bill before the Committee shall proceed to appoint a Chairman, otherwise the Member signing the same shall not be entitled to attend or vote.*

59.

That the Committee Clerk shall furnish to each Member appointed to serve on a Committee on a Private Bill, who shall apply for the same, a Form of one of the above Declarations, according to the class to which the Member may belong; and Form of Declaration supplied by Clerk.

Committee on Petitions.

that such application shall be made to the Committee Clerk, either in the Committee Clerks' Office, previous to the time when the Committee shall have been appointed to meet, or in the Committee Room, previous to the door thereof being locked, as hereinafter directed.

60.

When Member not entitled to attend or vote.

THAT no Member shall be entitled to attend or vote in a Committee on an opposed Private Bill, who shall not have delivered his Declaration to the Clerk, previous to the time when the door of the Committee Room shall be locked for the appointment of the Chairman, and who shall not have been present at such appointment.

61.

Quorum to be always present.

THAT Five Members (including the Quorum of Selected Members) shall be the Quorum of every Committee on an opposed Private Bill, and that no such Committee shall proceed to business, or continue their inquiry or deliberations, unless such number of Members appointed and duly qualified to serve on such Committee shall be present.

62.

When Proceedings of Committee to commence.

THAT so soon after the expiration of *ten minutes*, and not sooner, after the time appointed for the first sitting of a Committee on an opposed Private Bill, as there shall be present at least *Five* Members appointed and duly qualified to serve on such Committee (including a Quorum of Selected Members), the Clerk shall direct the Messenger in attendance on the Committee to clear the room of all strangers, and to lock the door of the Committee Room; and the Members then present shall proceed to appoint a Chairman.

63.

Chairman to be a Selected Member.

THAT the Member to be appointed the Chairman of each Committee on an opposed Private Bill shall be one of the Selected Members.

64.

Proceedings to be suspended if Quorum not present.

THAT if at any time during the sitting of the Committee a Quorum of the Selected Members shall not be present, the Chairman of the Committee shall suspend the proceedings of such Committee until such Quorum shall be present; and that if at the expiration of *one hour* from the time fixed for the meeting of the Committee, or from the time when the Chairman shall so have suspended the proceedings of such Committee, a Quorum of the Selected Members shall not be present, the Chairman shall *adjourn* the Committee for any period not exceeding Two clear days, or to the day on which The House shall next thereafter meet, and report to The House the circumstances of the case.

65.

Absence of Quorum by Death or otherwise to be reported.

THAT if at any time after the Committee on a Bill shall have been formed, a Quorum of Members required by the Standing Orders cannot attend in consequence of any of the Members

who

Committee on the Bill.

who shall have duly qualified to serve on such Committee having become incompetent to continue such service by having been placed on an Election Committee, or by death or otherwise, the Chairman shall report the circumstances of the case to The House, in order that such measures may be taken by The House as shall enable the Members still remaining on the Committee to proceed with the business referred to such Committee, or as the exigency of the case may require.

66.

Petition against Bill not to be considered except grounds of objection sufficiently specified.

That no Petition against a Private Bill be taken into consideration by the Committee on such Bill, which shall not distinctly specify the ground on which the Petitioners object to any of the provisions thereof; and that the Petitioners be only heard on such grounds so stated; and if it shall appear to the said Committee, that such grounds are not specified with sufficient accuracy, the Committee may direct that there be given in to the Committee a more specific Statement, in writing, but limited to such grounds of Objection so inaccurately specified.

67.

Petition against Bill to be presented Three days before first day appointed for meeting.

That no Petitioners against any Private Bill shall be heard before the Committee on the Bill, unless the Petition shall have been presented to this House *Three* clear *days* before the day appointed for the first meeting of such Committee, unless the Petitioners shall complain of any matter which may have arisen during the progress of the Bill before the said Committee.

Orders specially relating to the Committee on an Unopposed Bill.

68.

What Chairman to be appointed.

That the Chairman of the Committee of Ways and Means shall be the Chairman of the Committee on every unopposed Private Bill (not being a Divorce Bill), and that such Chairman and one of the other Members of the Committee shall be the Quorum thereof.

69.

Chairman at liberty to report that any Bill should be treated as opposed.

That the Chairman of the Committee on every unopposed Private Bill (not being a Divorce Bill), shall be at liberty, at any period after such Bill shall have been referred to him and the other Members of the Committee, to report his opinion to The House (if he shall think fit), that such Bill should be treated as an opposed Private Bill; in which case such Bill shall be again referred to the Committee of Selection, and shall be dealt with by them as an opposed Private Bill.

70.

Filled-up Bills to be laid before Chairman and Committee.

That a filled-up Bill, signed by the Agent for the Bill, as proposed to be submitted to the Committee, be laid by him before such Chairman at the time of giving notice of the meeting of the Committee on the Bill, and that similar copies be also laid by the Agent for the Bill before the other Members of the said Committee *Three days* at the least before the *First Meeting* thereof.

Committee on the Bill.

Orders relating to Committees on Bills, whether Opposed or Unopposed.

71.

Names of Members to be entered on Minutes.

That the Names of the Members attending each Committee be entered by the Clerk on the Minutes of the Committee; and if any Division shall take place in the Committee, the Clerk do take down the Names of Members voting in any such Division, distinguishing on which side of the question they respectively vote, and that such Lists be given in with the Report to The House.

72.

Committee on Bill not to inquire into certain Standing Orders.

That no Committee shall have power to examine into the compliance or non-compliance with such Standing Orders as are directed to be proved before the Select Committee on Petitions for Private Bills, unless by special order of The House.

73.

Standing Orders and Consents may be proved on Affidavit.

Scotland.

That in the case of any Private Bill relating to *Scotland*, the Committee may admit proof of the compliance with the Standing Orders of this House, and of the Consents of Parties concerned in interest in such Private Bill, on the production of Affidavits sworn before any Sheriff Depute or his Substitute there, whose Certificate shall be admitted as evidence of such proof having been made, unless the Committee shall require further evidence.

74.

Standing Orders and Consents may be proved on Affidavit.

Ireland.

That in the case of any Private Bill relating to *Ireland*, the Committee may admit proof of the compliance with the Standing Orders of The House, and of the Consents of Parties concerned in interest in such Private Bill, on the production of Affidavits sworn before any Judge or Assistant Barrister of that part of the United Kingdom, whose Certificate shall be admitted as evidence of such proof having been made, unless the Committee shall require further evidence.

75.

Consents in all other Cases.

That in all other instances, the Committee may admit proof of the Consents of Parties concerned in interest in any Private Bill, on the production of Certificates in writing of such Parties, whose Signature to such Certificate shall be proved by *one* or more Witnesses, unless the Committee shall require further Evidence.

76.

Clause compelling payment of Subscriptions.

That in all Bills presented to The House for carrying on any Work by means of a Company, Commissioners or Trustees, Provision be made for compelling Persons who have subscribed any Money towards carrying any such Work into execution, to make payment of the Sums severally subscribed by them.

77. That

Committee on the Bill.

77.

Provision to be made in Bills, by which Tolls, &c. may be levied.

THAT in all Bills whereby any Parties are authorized to levy Fees, Tolls or other Rate or Charge, Clauses be inserted, providing for the following objects, except in so far as any of such objects shall have been provided for in some general Act applicable to the subject-matter of the Bill:—

Security to be taken from Treasurer, &c.

That security be taken from the Treasurer, Collector, or Receiver, and every other officer entrusted with the collection or custody of monies under the Bill, for the faithful execution of his office.

Accounts to be kept.

That full and accurate Accounts be kept of all monies received and expended under the provisions of the Bill, and that such Accounts be balanced once in each year at the least.

Accounts to be audited.

That such Accounts be duly audited once in each year at the least, and that for such purpose an Auditor or Auditors be appointed by some person or persons not immediately connected with the Commissioners, Directors, Trustees, or other party, by whom, or by whose direction or authority, such Fees, Tolls, Rates or Charges shall be levied.

Accounts, Vouchers, &c., to be produced to Auditors.

That for the purpose of auditing such Accounts, the Commissioners, Directors, Trustees or other such party as aforesaid be required to cause the Accounts, together with all their Books and Vouchers, to be produced to the Auditors.

Remuneration to Auditors.

That the remuneration of the Auditor, and his expenses, be defrayed out of the funds levied under the Bill.

Account to be annually transmitted to Clerk of Peace.

That an annual Account, in abstract, be prepared of the total Receipts and Expenditure of all funds levied under such Bill for the past year, under the several distinct heads of Receipts and Expenditure, with a Statement of the Balance of the said Account duly audited and certified by the Chairman of the Commissioners, Directors, Trustees or other parties aforesaid, and also by the Auditors thereof; and that a copy of such annual Account be transmitted, free of charge, to the Clerk of the Peace (or in Scotland to the Sheriff Clerk) for the County, or to the Clerk of the City or Borough within which the chief Office for the management of such funds shall be situated, on or before the *Thirty-first* day of *January* in each year, under a sufficient Penalty for not preparing and sending in the said Account, to be levied by summary process; the said Account to be open at all seasonable hours to the inspection of the Public upon payment of a Fee.

78.

Level of Roads.

THAT where the level of any Road shall be altered in making any Public Work, the ascent of any Turnpike Road shall not be more than one foot in 30 feet; and of any other public Carriage Road not more than one foot in 20 feet; and that a good and sufficient fence, of four feet high at the least, shall be made on each side of every Bridge which shall be erected.

Fence to Bridges.

Committee on the Bill.

79.

Plan, &c., to be signed by Chairman.

THAT every Plan, and Book of Reference thereto, which shall be produced in evidence before the Committee upon any Private Bill (whether the same shall have been previously lodged in the Private Bill Office, or not,) shall be signed by the Chairman of such Committee with his Name at length; and he shall also mark with the Initials of his Name every Alteration of such Plan and Book of Reference, which shall be agreed upon by the said Committee; and every such Plan and Book of Reference shall thereafter be deposited in the Private Bill Office.

80.

Committee Bill and Clauses to be signed by Chairman.

THAT the Chairman of the Committee do sign, with his Name at length, a printed Copy of the Bill (to be called the Committee Bill) on which the Amendments are to be fairly written; and also sign, with the Initials of his Name, the several Clauses added in the Committee.

81.

Chairman to report on allegations of Bill, &c.

THAT the Chairman of the Committee upon every Private Bill shall report to The House, that the Allegations of the Bill have been examined; and whether the Parties concerned have given their Consent (where such Consent is required by the Standing Orders) to the satisfaction of the Committee.

82.

Committee to report Bill in all cases.

THAT every Committee to whom any Private Bill shall have been referred shall report the Bill to The House, whether such Committee shall or shall not have agreed to the Preamble, or gone through the several Clauses, or any of them; and when any alteration shall have been made in the Preamble of the Bill, such alteration, together with the ground of making it, shall be specially stated in the Report.

83.

Minutes of Committee.

THAT the Minutes of the Committee on every Private Bill be brought up and laid on the Table of The House, with the Report of the Bill.

Railway Bills.

84.

Restrictions as to Mortgage.

THAT in the case of a Railway Bill, no Company shall be authorized to raise, by Loan or Mortgage, a larger sum than *One-third* of their capital; and that, until *Fifty per cent.* on the whole of the capital shall have been paid up, it shall not be in the power of the Company to raise any Money by Loan or Mortgage.

85.

THAT where the level of any road shall be altered in making any Railway, the ascent of any turnpike-road shall not be more than One Foot in Thirty Feet, and of any other public carriage road not more than One Foot in Twenty Feet, unless a report from some Officer of the Railway Department of the Board of Trade shall be laid

85 and 86.

These are new Orders agreed to by The House in the present Session.

87.—Section 11.

This is a new Section as agreed to by The House in the present Session.

Committee on the Bill.

laid before the Committee on the Bill, recommending that steeper ascents than the above may be allowed, with the reasons and facts upon which such opinion is founded, and the Committee shall report in favour of such recommendation: Also, that a good and sufficient fence, of Four Feet high at the least, shall be made on each side of every Bridge which shall be erected.

86.

THAT no Railway whereon carriages are propelled by steam, or by atmospheric agency, or drawn by ropes in connexion witha stationary steam-engine, shall be made across any turnpike-road or other public carriage-way on the level, unless the Committee on the Bill report that such a restriction ought not be enforced, with the reasons and facts upon which their opinion is founded.

87.

THAT in the case of a Railway Bill, the Committee report specially:—

Capital.

1. The proposed Capital of the Company formed for the execution of the project, and the amount of any Loans which they may be empowered to raise by the Bill.

Shares, &c.

2. The amount of Shares subscribed for, and the Deposits paid thereon.

Names, &c., of Directors.

3. The Names and Places of Residence of the Directors or Provisional Committee, with the amount of Shares taken by each.

Local Shareholders.

4. The number of Shareholders who may be considered as having a local interest in the line, and the amount of Capital subscribed for by them.

Other parties, &c.

5. The number of other Parties, and the Capital taken by them.

Subscribers for 2,000*l.* and upwards.

6. The number of Shareholders subscribing for 2,000*l.* and upwards, with their Names and Residences, and the amount for which they have subscribed.

Present means of conveyance.

7. The sufficiency or insufficiency for Agricultural, Commercial, Manufacturing or other purposes, of the present means of conveyance, and of communication between the proposed termini, stating the present amount of traffic by land or water, the average charges made for Passengers and Goods, and time occupied.

Passengers, &c., expected.

8. The number of Passengers, and the weight and description of the Goods expected upon the proposed Railway.

Income expected.

9. The amount of Income expected to arise from the conveyance of Passengers and Goods, and in what proportion; stating also generally the description of Goods from which the largest revenue is anticipated.

Whether Railway be a complete Line, or part of a more extended Plan.

10. Whether the proposed Railway be a complete and integral line between the termini specified, or a part of a more extended plan now in contemplation, and likely to be hereafter submitted to Parliament, and to what extent the calculations of remuneration depend on such contemplated extension of the line.

Whether Report from Board of

11. Whether any Report from the Board of Trade in regard to the Bill, or the objects thereby proposed to be authorized,

Trade has been referred to Committee, &c.

has been referred by the House to the Committee, and if so, whether any and what recommendations contained in such Report have been adopted by the Committee, and whether any and what recommendations contained in such Report have been rejected; and, in case the Line or Lines be stated in such Report to be a Competing Line or Competing Lines, the reasons which have induced the Committee to recommend the adoption or rejection of such Competing Lines or either of them.

Assistant Engines.

12. What planes on the Railway are proposed to be worked, either by assistant engines, stationary or locomotive, with the respective lengths and inclinations of such planes.

Engineering difficulties.

13. Any peculiar engineering difficulties in the proposed line, and the manner in which it is intended they should be overcome.

Ventilation of Tunnels.

14. The length, breadth, and height, and means of ventilation, of any proposed tunnels, and whether the strata through which they are to pass are favourable or otherwise.

Gradients and Curves.

15. Whether in the lines proposed, the gradients and curves are generally favourable or otherwise, and the steepest gradient, exclusive of the inclined planes above referred to, and the smallest radius of a curve.

Length of Line.

16. The length of the main line of the proposed Railway, and of its branches respectively.

Passing Highways on a level.

17. Whether it be intended that the Railway should pass on a level any Turnpike Road or Highway, and if so, to call the particular attention of The House to that circumstance.

Estimates.

18. The amount of the Estimates of the cost or other expenses to be incurred up to the time of the completion of the Railway, and whether they appear to be supported by evidence, and to be fully adequate for the purpose.

Annual Expenses.

19. The estimated charge of the Annual Expenses of the Railway when completed, and how far the calculations on which the charge is estimated have been sufficiently proved.

Revenue in reference to annual charge.

20. Whether the calculations proved in evidence before the Committee have satisfactorily established that the Revenue is likely to be sufficient to support the Annual Charges of the maintenance of the Railway, and still allow profit to the Projectors.

Assents.

21. The number of assents, dissents and neuters upon the line, and the length and amount of Property belonging to each class traversed by the said Railway, distinguishing Owners from Occupiers; and in the case of any Bill to vary the original Line, the above particulars with reference to such Parties only as may be affected by the proposed deviation.

Engineers examined.

22. The Name of each Engineer examined in support of the Bill, and of any examined in opposition to it.

Petitions in opposition.

23. The main allegations of every Petition which may have been referred to the Committee in opposition to the Preamble of the Bill, or to any of its Clauses; and whether the allegations have been considered by the Committee, and if not considered, the cause of their not having been so.

Fitness in an engineering point of view, and any other circumstances.

And the Committee shall also report generally as to the fitness, in an engineering point of view, of the projected line of Railway, and

88.

This is a new Order agreed to in the present Session.

Committee on the Bill.

and any circumstances which, in the opinion of the Committee, it is desirable The House should be informed of.

88.

Resolved, That in all Railway Bills there be inserted the following Clauses:

Railway not to be proceeded with till certain Plans, &c., deposited.

And be it further Enacted, That it shall not be lawful for the said Company to proceed in the execution of the said Railway hereinbefore authorized to be made, unless the said Company shall have, previously to the commencement of such work, deposited with the Clerk of the Peace of the several counties in England or Ireland, and in the Office of the Principal Sheriff Clerk in every county in Scotland, in or through which the said Railway hereby authorized to be made is intended to pass, a Plan and Section of all such alterations from the original Plan and Section as shall have been approved of by Parliament, on the same scale, and containing the same particulars as the original Plan and Section of the Railway; and also with the Clerks of the several parishes in England, the Schoolmasters of the several parishes in Scotland (or in Royal Burghs with the Town Clerk), and the Postmasters of the post towns in or nearest to such parishes in Ireland, in or through which such alterations shall have been authorized to be made, copies or extracts of or from such Plans and Sections as shall relate to such parishes respectively, and all persons interested shall have liberty to inspect and make extracts from or copies of the said Plans and Sections, or extracts or copies thereof, paying to the Officer having the custody of such Plan and Section, or of such extract or copy, the sum of One Shilling for every such inspection, and after the rate of Sixpence for every One hundred words copied therefrom.

Limiting Deviations from Datum Line.

And be it further Enacted, That in making the said Railway it shall not be lawful for the said Company to deviate from the levels of the said Railway, as referred to the common Datum Line described in the Section so approved of by Parliament, and as marked on the same, to any extent exceeding in any place Five Feet, or in passing through towns Two Feet, without the consent of the owners, lessees and occupiers of the land in, through or over which such deviation is intended to be made; or in case any street or public carriage road shall be affected by such deviation, then the same shall not be made without the consent of the Trustees or Commissioners, or if there be no such Trustees or Commissioners, without the consent of Two or more Justices of the Peace in Petty Sessions assembled for that purpose, and acting for the district in which such street or public carriage road may be situated, or without the consent of the Commissioners for any Public Sewers, or the proprietors of any Canal or Navigation affected by such deviation: Provided always, That it shall be lawful for the Company to deviate from the said levels to a further extent without such consent as aforesaid, by lowering solid embankments or viaducts, provided that the requisite height of headway prescribed by Act of Parliament be left for roads, streets or canals passing under the same.

Arches and Viaducts as marked on Plan and Section to be made, &c

And be it further Enacted, That where in any place it is intended to carry the Railway on an arch or arches, or other viaduct, as marked on the said Plan or Section, the same shall be made accordingly; and where a tunnel is marked on the said

Plan or Section as intended to be made at any place, the same shall be made accordingly, unless the owners, lessees and occupiers of the land in or through which such tunnel is intended to be made shall consent that the same shall not be so made: Provided always, That notice of every Petty Sessions to be holden for the purpose of obtaining such consent, as is hereinbefore required, shall, Fourteen Days' previous to the holding of such Petty Sessions, be given in some newspaper circulating in the county, and also be affixed upon the church door of the parish in which such deviation or alteration is intended to be made, or if there be no church, some other place to which notices are usually affixed; and provided also, That, for the purpose of consenting to any deviations from the said Sections, and to any tunnelling or arching as aforesaid, the word "owners" shall be deemed and taken to mean such persons as are herein capacitated to agree for the sale of, and to convey land for the making of the said Railway; and the consent of such persons, with or without the consent of any other persons interested as owners in the said lands, shall be deemed and taken to be sufficient for such purposes.

Limiting Deviations from Gradients, Curves, Tunnels, &c.

And be it further Enacted, That it shall not be lawful for the said Company to deviate from or alter the gradients, curves, tunnels or other engineering works described in the said Plan or Section, except within the following limits, and under the following conditions, viz.:

Subject to the above provisions in regard to altering levels, it shall be lawful for the Company to diminish the inclination or gradients of the said Railway to any extent, and to increase the said inclination or gradients as follows; (that is to say) in gradients of an inclination not exceeding one in a hundred to any extent not exceeding Ten Feet per mile, or to any further extent which shall be certified by the Lords of the Committee of Privy Council for Trade to be consistent with public safety, and not prejudicial to public interests; and in gradients of or exceeding the inclination of one in a hundred to any extent not exceeding Three Feet per mile, or to any further extent which shall be so certified by the Lords of the said Committee as aforesaid:

It shall be lawful for the Company to diminish the radius of any curve described in the said Plan, to any extent which shall leave a radius of not less than half a mile, or to any further extent authorized by such certificate as aforesaid, from the Lords of the said Committee:

It shall be lawful for the Company to make a tunnel, not marked on the said Plan or Section instead of a cutting, or a viaduct instead of a solid embankment, if authorized by such certificate as aforesaid from the Lords of the said Committee.

Letters Patent.

89.

Copy of Letters Patent to be annexed to the Bill.

That when any Bill shall be brought into The House, for confirming of Letters Patent, there be a true Copy of such Letters Patent annexed to the Bill.

Inclosure

Committee of Selection.

Inclosure and Drainage Bills.

90.

Notices and Allegations.

THAT in the case of any Bill for inclosing Lands, the Committee may admit proof of the Notices required by the Standing Orders, and of the Allegations in the Preamble of such Bill, by Affidavit taken and authenticated, according to the form prescribed in the Schedule to the General Inclosure Act (41 GEO. III. c. 109,) unless such Committee shall otherwise order.

Gen. Inc. Act.

91.

Consent Bill and Statement of Property to be delivered in.

THAT the Committee on every Bill for inclosing Lands shall in the first place require the Agent for the same to deliver in to the Committee a printed copy of the Bill, signed by the Lord of the Manor, (in cases where the Lord of the Manor has any interest as such in the lands to be inclosed) and by such Owners of Property within the Parish to which the Bill relates as shall have assented thereto; but that the Parties, if they shall think fit, be permitted to deliver in different copies of the Bill, separately signed by the several Parties hereinbefore mentioned, instead of one copy, signed by all of them collectively; together with a List of all the Owners of Property within such Parish, showing the value according to the Poor Rate or Land Tax Assessment of each Owner's Property therein, and distinguishing which of them have assented, dissented, or are neuter in respect thereto.

92.

Consent Bill and Statement of Property to be delivered in.

THAT the Committee on every Bill for draining Lands shall in the first place require the Agent for the same to deliver in to the Committee a printed copy of the Bill, signed by such Owners and Occupiers of Property within the Parish to which the Bill relates as shall have assented thereto; but that the Parties, if they shall think fit, be permitted to deliver in different copies of the Bill, separately signed by the several Parties hereinbefore mentioned, instead of one copy, signed by all of them collectively; together with a List of all the Owners of Property within such Parish, showing the value according to the Poor Rate or Land Tax Assessment of each Owner's Property therein, and distinguishing which of them have assented, dissented, or are neuter in respect thereto.

93.

Clause for leaving open Space for exercise and recreation.

THAT in every Bill for inclosing Lands, provision be made for leaving an open space in the most appropriate situation, sufficient for purposes of exercise and recreation of the neighbouring population; and that the Committee on the Bill have before them the number of acres proposed to be inclosed, as also of the population in the parishes or places in which the land to be inclosed is situate; and also do see that provision is made for the efficient fencing of the allotment, for the investment of the same in the Churchwardens and Overseers of the parish in which such open space is reserved, and for the efficient making and permanent maintenance of the fences by such parish; and that in any case where the information hereby required is not given, and the required provisions are not made in the Bill, the Committee on the same do report specially to The House the reasons for not complying with such Order.

94.

Consent Bill to contain Names of Commissioners, and Compensations for Manorial Rights, Tithes, and Enfranchisements

THAT in every Bill for inclosing Lands, the Names of the Commissioners proposed to be appointed, and the Compensation intended for the Lord of the Manor, and the Owners of Tithes, in lieu of their respective Rights, and also the Compensation intended to be made for the enfranchisement of Copyholds, where any Bargains or Agreements have been made for such Compensations, be inserted in the copy of the Bill presented to The House: And that all copies of such Bills which shall be sent to any of the Persons interested in the said Manor, Tithes, Lands or Commons, for their Consent, do contain the Names of such proposed Commissioners, and also the Compensations so bargained or agreed for.

95.

Disqualification of certain Persons as Commissioners, Surveyors, &c.

THAT no Person shall be named in any Bill for inclosing Lands as a Commissioner, Umpire, Surveyor or Valuer, who shall be interested in the Inclosure to be made by virtue of such Bill; or the Agent ordinarily intrusted with the care, superintendence, or management of the Estate of any Person so interested.

96.

Clauses for settling Pay of Commissioners, and passing their Accounts.

THAT in every Bill for inclosing, draining or improving Lands there be inserted a Clause, providing what sum of Money in the whole, or by the day, shall be paid to each of the Commissioners to be appointed by such Bill, in satisfaction of the expense and trouble which he shall incur in the execution of the powers thereby given; and that there be also inserted in such Bill a Clause, providing that the Account of such Commissioner or Commissioners, containing a true statement of all Sums by him or them received and expended or due to him or them for their own trouble or expenses, shall, at least once in every year, from the date of the passing of the Act till such Accounts shall be finally allowed, together with the Vouchers relating to the same, be examined by some Person or Persons to be appointed by the Bill, and the Balance by him or them stated in the Book of Accounts required to be kept in the Office of the Clerk of such Commissioners; and that no charge or item in such Accounts shall be binding on the Parties concerned, or be valid in law, unless the same shall be duly allowed by such Person or Persons.

Turnpike Roads (Ireland).

97.

Clause for Qualification of Commissioners.

THAT in every Bill for making a Turnpike Road in Ireland, or for the continuing or amending any Act passed for that purpose, or for the increase or alteration of the existing Tolls, Rates or Duties upon any such Road, or for widening or diverting any such Road, a Clause be inserted, to prevent any Person who shall be nominated a Commissioner, from acting or voting in the business of the said Turnpike, unless he shall be possessed of an Estate in Land, or of a Personal Estate, to such certain value as shall be specified in such Bills; and that such Qualification be extended to the Heirs apparent of Persons possessed of an Estate in Land to a certain value to be specified.

DUTY

Committee on Divorce Bill.

DUTY OF SELECT COMMITTEE ON DIVORCE BILLS.

98.

What Evidence to be given in Divorce Cases.

THAT the Select Committee on Divorce Bills shall require evidence to be given before them that an action for damages has been brought in one of Her Majesty's Courts of Record at Westminster, or in one of Her Majesty's Courts of Record in Dublin, or in one of Her Majesty's Supreme Courts of Judicature of the Presidencies of Calcutta, Madras, Bombay or the Island of Ceylon, respectively, against the persons supposed to have been guilty of Adultery, and judgment for the plaintiff had thereupon; or sufficient cause to be shown to the satisfaction of the said Committee why such action was not brought, or such judgment was not obtained.

99.

When Petitioner for Bill to attend Committee.

THAT the Select Committee on Divorce Bills shall, in all cases in which the Petitioner for the Bill has attended the House of Lords upon the Second Reading of the Bill, require him to attend before them to answer any questions they may think fit that he should answer.

100.

Committee to report Bill in all cases.

THAT the Select Committee on Divorce Bills shall report every such Bill to The House, whether such Committee shall or shall not have agreed to the Preamble, or gone through the several Clauses, or any of them.

III.

THE ORDERS REGULATING THE PRACTICE OF THE HOUSE WITH REGARD TO PRIVATE BILLS.

Practice of the House.

PRACTICE OF THE HOUSE WITH REGARD TO PRIVATE BILLS.

101.

Petition for Bill, and how to be signed.

THAT no Private Bill be brought into this House, but upon a Petition first presented, with a printed copy of the proposed Bill annexed: And that such Petition be signed by the Parties, or some of them, who are Suitors for the Bill.

102.

Petitions, when to be presented.

THAT all Petitions for Private Bills be presented within *Twenty-one* days after the *First Friday* in every Session of Parliament.

103.

Petitions for Private Bills, &c. and Lords' Bills to be referred to Committee on Petitions.

THAT all Petitions for Private Bills, with their annexed Bills, and all Petitions for additional Provision in Private Bills, with the proposed Clauses annexed, and all Estate Bills brought from the House of Lords, after having been read a First Time, shall be referred to the Select Committee on Petitions for Private Bills.

104.

Time between presentation of Petition and Meeting of Sub-Committee.

THAT there be *Ten* clear days between the day on which the Petition for any Private Bill relating to *England* shall be presented, and the day on which the Sub-Committee shall sit thereupon; and *Fifteen* days, in case such Bill shall relate to *Scotland* or *Ireland*.

105.

Reports that Standing Orders have not been complied with, to be referred to Committee on Standing Orders.

THAT all Reports of the Select Committee on Petitions for Private Bills, in which they shall report that the Standing Orders have not been complied with, be referred to the Select Committee on Standing Orders.

106.

Petitions for leave, &c. to be referred to Committee on Standing Orders.

THAT all Petitions for leave to dispense with any of the Sessional Orders of The House relating to Private Bills, be referred to the Select Committee on Standing Orders.

107.

Printed Bill to be presented.

THAT every Private Bill, printed on paper, of a size to be determined upon by Mr. Speaker, be presented to The House, with a Cover of Parchment attached to it, upon which the Title of the Bill is to be written; and the short Title of the Bill, as first entered on the Votes, shall be in accordance with the subject matter of the Bill, and shall not be changed unless by special order of The House.

108.

Rates, Tolls and other Matters to be inserted in *Italics*.

THAT the proposed amount of all Rates, Tolls, and other matters heretofore left blank in any Private Bill when presented to The House, be inserted in *Italics* in the printed Bill.

Practice of the House.

109.

What Bills to be printed, and when.

THAT every Private Bill (except Name and Naturalization Bills) be printed; and printed copies thereof delivered to the door-keepers for the use of the Members before the First Reading.

110.

Time between First and Second Reading.

THAT there be *Three* clear *days* between the First and Second Reading of every Private Bill.

111.

No Petition complaining of Standing Orders—subsequent to Second Reading of Bills.

THAT this House will not receive any Petition complaining solely of a non-compliance with the Standing Orders of The House in respect of any Private Bill, subsequently to the Second Reading of such Bill, unless in the case of those Standing Orders which must necessarily be taken into consideration by the Committee on the Bill.

112.

Second Reading not to take place till Two Months after last Notice.

THAT no Private Bill be read a *Second* time, until after the expiration of *Two calendar months* from the day the last Notice shall have been given in the Newspaper.

113.

Breviate to be prepared.

THAT a Breviate of every Private Bill (except Divorce, Name, Naturalization, and Estate Bills, brought from the House of Lords, and not relating to Crown, Church or Corporation Property, or Property held in trust for public or charitable purposes) be prepared under the direction of Mr. Speaker, and that such Breviate shall contain a Statement of the Object of the Bill and a Summary of the proposed Enactments, and shall state any variation from the general law which will be effected by the Bill.

114.

Breviate to be laid on Table Three days before Second Reading of Bill.

THAT no Private Bill be read a *Second* time until *Three* clear *days* after the Breviate thereof shall have been laid on the Table of The House, and have been printed.

115.

When Fees to be paid.

THAT no Private Bill, or Clause, for the particular interest or benefit of any Person or Persons, County or Counties, Corporation or Corporations, or Body or Bodies of People, be read a Second time, unless Fees be paid for the same.

116.

Bills referred to Committee of Selection.

THAT every Private Bill, not being a Divorce Bill, after having been read a Second time and committed, shall be referred to the Committee of Selection; and every Divorce Bill shall be referred to the Select Committee on Divorce Bills.

117.

Time between Second Reading and Committee.

THAT there be *Seven* clear *days* between the Second Reading of every Private Bill, and the sitting of the Committee thereupon.

117 *a*.

THAT in the case of Railway Bills, if any Report made under the authority of the Board of Trade upon any Bill, or the objects thereof, be laid before the House, such Report shall be referred to the Committee on the Bill.

118. THAT

117 *a*.

This is a new Order agreed to in the present Session.

Committee on the Bill.

118.

THAT the Report upon every Private Bill ordered to be printed as amended in Committee, shall lie upon the Table.

Report of Bill when printed as amended, to lie on Table.

119.

THAT a Breviate of the amendments made in every Committee on a Private Bill be submitted to the Chairman of the Committee of Ways and Means, and also laid upon the Table of The House at least the day previous to the consideration of the Report of such Bill.

Breviates of Bills amended in Committee to be laid before Chairman of Ways and Means, &c.

120.

THAT every Private Bill, as amended in Committee, excepting in the cases wherein the Committee shall report the amendments to be merely verbal or literal, be printed at the expense of the Parties applying for the same; and be delivered to the Doorkeepers for the use of the Members, *Three* clear *days* at least before the consideration of the Report.

Bill to be printed after report.

121.

THAT when any Clause or Amendment is offered upon the Report, or the consideration of the Report, or the Third Reading of any Private Bill, such Clause or Amendment shall be referred to the Select Committee on Standing Orders: That such Clause shall be printed: And when any Clause is proposed to be amended, it shall be printed *in extenso*, with every addition or substitution in different type, and the omissions therefrom included in brackets.

Clauses and Amendments proposed on Report or Third Reading to be referred to Select Committee on Standing Orders.

122.

THAT when any Clause or Amendment upon the Report, or the consideration of the Report, or the Third Reading of any Private Bill, shall have been referred to the Select Committee on Standing Orders, no further proceeding on either of such stages shall be had until the Report of the said Select Committee shall have been brought up.

When referred, no further proceeding to be had until Report of Select Committee on Standing Orders.

123.

THAT in order to afford opportunity for the proper discussion of the *Reports* on *Railway Bills* included in the second class, this House will upon *every Tuesday* proceed to the consideration of Reports on such Bills.

Reports on Railway Bills to be discussed upon every Tuesday.

124.

THAT no Private Bill shall pass through two stages on one and the same day without the special leave of The House.

Bill not to proceed two stages on same day.

125.

THAT (except in cases of urgent and pressing necessity) no motion be made to dispense with any Sessional or Standing Order of The House without due notice thereof.

Notice to be given of motion for dispensation.

IV.

THE ORDERS REGULATING THE PRACTICE IN THE PRIVATE BILL OFFICE.

Practice in the Private Bill Office.

PRIVATE BILL OFFICE.

126.

Private Bill Office and Register.

THAT a Book, to be called "THE PRIVATE BILL REGISTER," be kept in a Room, to be called "THE PRIVATE BILL OFFICE," in which Book shall be entered by the Clerks appointed for the business of that Office, the Name, Description and Place of Residence of the Parliamentary Agent in Town, and of the Agent in the Country (if any) soliciting the Bill; and all the Proceedings, from the Petition to the passing of the Bill:—Such Entry to specify, briefly, each day's Proceeding in The House, or in any Committee to which the Bill or Petition may be referred; the day and hour on which the Committee is appointed to sit; the day and hour to which such Committee may be adjourned, and the name of the Committee Clerk. Such Book to be open to public inspection daily, in the said Office, between the hours of Eleven and Six.

127.

Plans, &c. to be lodged.

THAT all Plans, Sections, Books of Reference, Lists of Owners and Occupiers, Estimates, Copies of the Subscription Contracts, and Declarations required by the Standing Orders of The House, be lodged in the Private Bill Office; and that the receipt thereof be acknowledged accordingly, by one of the Clerks of the said Office, upon the said Documents, and upon the Petition, before it is presented.

128.

Copy of Bill annexed to Petition to be deposited in Private Bill Office.

THAT a copy of every Bill annexed to a Petition be deposited in the Private Bill Office on the day of The Presentation of the Petition to The House; and that such Bill be open to the inspection of all parties.

129.

Notice of Meeting of Sub-Committee on Petition, &c.

THAT *Ten* clear *days'* notice in writing be given by the Agent for the Bill to the Clerks in the Private Bill Office of the meeting of any *Sub-Committee* on a Petition for a Private Bill, and *One* clear *day's* notice of the meeting of any Sub-Committee on a Petition for additional Provision, or on an Estate Bill brought from the House of Lords; and that no such notices respectively be given until after such Petition shall have been presented, or such Estate Bill read a First Time.

130.

Notice of Postponement of Sub-Committee.

THAT *One* clear *day's* notice in writing be given by the Agent for the Bill, to the Clerks in the Private Bill Office, of the postponement of the first meeting of any Sub-Committee on a Petition for a Private Bill, or on a Petition for additional Provision, or on an Estate Bill brought from the House of Lords.

131.

Examination Book.

THAT after each Private Bill has been read the First time, its Name (or short Title) shall be copied by the Clerks of the Private Bill Office, from the Clerk's Minute Book of the day, into a separate Book, to be called "THE EXAMINATION BOOK;"—wherein shall be noted the number of such Bill, according to the priority of its being read, and the date of the day of such First Reading.

132.

Custody of Bills.

THAT every Private Bill, after it has been read the First time and the Title copied and examined for the Votes, be in the custody of the Clerks of the Private Bill Office, until laid upon the Table for the Second Reading; and when committed, be taken by the proper Committee Clerk into his charge, till reported.

133.

Examination of Bill and Breviate.

THAT between the First and Second Reading of every Private Bill, every such Bill shall, according to its priority, be examined, with all practicable despatch, by the Clerks of the Private Bill Office, as to its conformity with the Rules and Standing Orders of The House; and if *not* in due form, the Examining Clerk shall specify thereon the page in which any irregularity occurs, and shall enter the day of such Examination, together with his own Name, in the Examination Book.

134.

Notice of Second Reading.

THAT *Three* clear *days'* Notice in writing be given by the Agent for the Bill, to the Clerks in the Private Bill Office, of the day proposed for the Second Reading of every Private Bill.

135.

Notice of Committee.

THAT *Seven* clear *days'* Notice, and in the case of a re-committed Bill, *Three* clear *days'* Notice, in writing, be given by the Agent for the Bill, to the Clerks in the Private Bill Office, of the day and hour appointed for the meeting of the Committee on every Private Bill; and that all the proceedings of any Committee of which such Notice shall not have been given, be void.

136.

Filled-up Bill, to be deposited in Private Bill Office.

THAT a filled-up Bill, signed by the Agent for the Bill, as proposed to be submitted to the Committee on the Bill, and in the case of a re-committed Bill, a filled-up Bill, as proposed to be submitted to the Committee on re-committal, be deposited in the Private Bill Office one clear day before the meeting of the Committee on every Private Bill; and that all Parties shall be entitled to a Copy thereof, upon payment of the Charges for making out Amendments of such Bill.

137.

Notice of Postponement.

THAT notice, in writing, be given by the Clerk to the Committee of Selection, to the Clerks in the Private Bill Office, of the postponement of the first meeting of any Committee on a Private Bill, on the day on which such postponement is made.

138.

Notice of Adjournment.

THAT Notice, in writing, be given by the Committee Clerk to the Clerks in the Private Bill Office, of the day and hour to which each Committee is adjourned.

139.

Notice of Report and of consideration of Report.

THAT *One* clear *day's* Notice, in writing, be given by the Agent for the Bill, to the Clerks in the Private Bill Office, of the day proposed

136.

This Order has been amended by leaving out, after "Private Bill Office," the words, "at the time of giving notice of," and inserting, "one clear day before."

137.

This Order has been amended, by substituting the Clerk of the Committee of Selection as the person to give the notice, instead of the Agent for the Bill; and providing that the notice shall be given when the postponement is made.

Practice in the Private Bill Office.

proposed for the Report of every Private Bill, and also for the consideration of the Report of every Private Bill ordered to lie upon the Table.

140.

Bill as amended in Committee to be delivered in.

THAT the Committee Clerk, after the Report is made out, do deliver in to the Private Bill Office a printed Copy of the Bill, with the written Amendments made in the Committee; in which Bill, all the Clauses added by the Committee shall be regularly marked in those parts of the Bill wherein they are to be inserted.

141

Notice to be given of Clauses, &c. on Report, or on consideration of Report, or Third Reading.

THAT when it is intended to bring up any Clause or to propose any Amendment on the Report, or the consideration of the Report, or on the Third Reading of any Private Bill, Notice shall be given thereof, in the Private Bill Office, on the day previous to such Report, or consideration of the Report, or Third Reading.

142.

Notice of Third Reading.

THAT *One* clear *day*'s Notice, in writing, be given by the Agent for the Bill, to the Clerks in the Private Bill Office, of the day proposed for the *Third Reading* of every Private Bill; and that no such Notice be given until after the Bill to which it relates shall have been reported, or the Report thereof considered.

143.

Amendments on Report, or consideration of Report, and Third Reading.

THAT the Amendments (if any) which are made upon the Report or consideration of the Report, and on the Third Reading of any Private Bill, and also such Amendments made by the House of Lords as shall have been agreed to by this House, be entered by one of the Clerks in the Private Bill Office, upon the printed Copy of the Bill as amended in Committee; which Clerk shall sign the said Copy so amended, in order to its being deposited and preserved in the said Office.

144.

Examination of Ingrossments.

THAT to insure the Accuracy of the Ingrossment of all Private Bills, the Clerk of the House be required to provide a sufficient number of Clerks, to be called EXAMINERS of INGROSSMENTS.

145.

Certificate of Examination.

THAT no Private Bill be read a Third time until a Certificate is indorsed upon the Paper Bill, and signed by one or more of the Examiners of Ingrossments, declaring that the Ingrossment thereof has been examined, and agrees with the Bill, as amended in Committee, and on the consideration of the Report.

146.

Notice of consideration of Lords' Amendments.

THAT when Amendments made by the House of Lords to any Private Bill sent up to them are to be taken into consideration, Notice be given thereof in the Private Bill Office, the day previous to the same being proposed to be taken into consideration.

147.

Time for delivering Notices.

THAT all *Notices* required to be given in the Private Bill Office be delivered in the said Office before *Six* of the clock

Practice in the Private Bill Office.

in the *Evening* of any day on which The House shall sit, and before *Two* of the Clock on any day on which The House shall not sit; and that after any day on which The House shall have adjourned, no Notice shall be given for the first day on which it shall again sit.

148.

Daily Lists of Committees sitting.

THAT the Clerks in the Private Bill Office do prepare, daily, Lists of all Private Bills, and Petitions for Private Bills upon which any Committee is appointed to sit; specifying the hour of meeting; and the Room where the Committee shall sit; and that the same be hung up in the Lobby of The House.

149.

Plans to be verified as Mr. Speaker shall direct.

THAT every Plan, and Book of Reference thereto, which shall be certified by The Speaker of the House of Commons, in pursuance of any Act of Parliament, shall previously be ascertained, and verified in such manner as shall be deemed most advisable by The Speaker, to be exactly conformable in all respects to the Plan and Book of Reference which shall have been signed by the Chairman of the Committee upon the Bill.

APPENDIX.

[Form referred to in Page 19.]

(A.)

No.

Sir,

We beg to inform you, that Application is intended to be made to Parliament in the ensuing Session for "An Act" [*here insert the Title of the Act*], and that the Property mentioned in the annexed Schedule, or some Part thereof, in which we understand you are interested as therein stated, will be required for the Purposes of the said Undertaking, according to the Line thereof as at present laid out, or may be required to be taken under the usual Powers of Deviation to the Extent of Yards on either side of the said Line which will be applied for in the said Act, and will be passed through in the Manner mentioned in such Schedule.

We also beg to inform you, that a Plan and Section of the said Undertaking, with a Book of Reference thereto, has been or will be deposited with the several Clerks of the Peace of the Counties of [*specify the Counties in which the Property is situate*], on or before the 30th of November, and that Copies of so much of the said Plan and Section as relates to the Parish in which your Property is situate, with a Book of Reference thereto, has been or will be deposited for public Inspection with the Clerk of the said Parish, Schoolmaster of the Parish, Town Clerk of the Royal Burgh, or the Postmaster of the Post Town in or near such Parish [*as the case may be*], on or before the 31st day of December instant, on which Plans your Property is designated by the Numbers set forth in the annexed Schedule.

As we are required to report to Parliament whether you assent to or dissent from the proposed Undertaking, or whether you are neuter in respect thereto, you will oblige us by writing your Answer of Assent, Dissent or Neutrality in the Form left herewith, and returning the same to us with your Signature on or before the day of next; and if there should be any Error or Misdescription in the annexed Schedule, we shall feel obliged by your informing us thereof, at your earliest convenience, that we may correct the same without delay.

We are, Sir,

Your most obedient servants,

To

SCHEDULE referred to in the foregoing Notice, and which is intended to show the Property therein alluded to, and the Manner in which the Line of the deposited Section will affect the same.

——	Parish, Township, Townland or Extra-parochial Place.	Number on Plans.	Description.	Owner.	Lessee.	Occupier.	Description of the Section of the Line deposited, and of the greatest Height of Embankment and Depth of Cutting.
Property in the Line as at present laid out.							

——	Parish, Township, Townland, or Extra-parochial Place.	Number on Plans.	Description.	Owner.	Lessee.	Occupier.	
Property within the Limits of the Deviation intended to be applied for.							

Appendix (B.)

ANNO PRIMO VICTORIÆ REGINÆ.

Cap. LXXXIII.

AN ACT to compel Clerks of the Peace for Counties and other Persons to take the Custody of such Documents as shall be directed to be deposited with them under the Standing Orders of either House of Parliament.

WHEREAS the Houses of Parliament are in the habit of requiring that, previous to the introduction of any Bill into Parliament for making certain bridges, turnpike-roads, cuts, canals, reservoirs, acqueducts, waterworks, navigations, tunnels, archways, railways, piers, ports, harbours, ferries, docks and other works, to be made under the authority of Parliament, certain maps or plans and sections, and books and writings, or extracts or copies of or from certain maps, plans or sections, books and writings, shall be deposited in the office of the clerk of the peace for every county, riding or division in England or Ireland, or in the office of the sheriff clerk of every county in Scotland, in which such work is proposed to be made, and also with the parish clerk in every parish in England, the schoolmaster of every parish of Scotland, or in Royal Burghs with the town clerk, and the postmaster of the post town in or nearest to every parish in Ireland, in which such work is intended to be made, and with other persons: And whereas it is expedient that such maps, plans, sections, books, writings and copies or extracts of and from the same, should be received by the said clerks of the peace, sheriff clerks, parish clerks, schoolmasters, town clerks, postmasters and other persons, and should remain in their custody for the purposes hereinafter mentioned; BE it therefore Enacted by The Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, That whenever either of the Houses of Parliament shall by its Standing Orders, already made or hereafter to be made, require that any such maps, plans, sections, books or writings, or extracts or copies of the same, or any of them, shall be deposited as aforesaid, such maps, plans, sections, books, writings, copies and extracts shall be received by and shall remain with the clerks of the peace, sheriff clerks, parish clerks, schoolmasters, town clerks, postmasters and other persons with whom the same shall be directed by such Standing Orders to be deposited, and they are hereby respectively directed to receive and to retain the custody of all such documents and writings so directed to be deposited with them respectively, in the manner and for the purposes and under the rules and regulations concerning the same respectively directed by such Standing Orders, and shall make such memorials and endorsements on and give such acknowledgments and receipts in respect of the same respectively as shall be thereby directed.

Clerks of the Peace, &c. to receive the Documents herein mentioned, and retain them for the purposes directed by the Standing Orders of the Houses of Parliament.

II. And be it further Enacted, That all persons interested shall have liberty to, and the said clerks of the peace, sheriff clerks, parish clerks, schoolmasters, town clerks and postmasters, and every of them, are and is hereby required, at all reasonable hours of the day, to permit all persons interested to inspect during a reasonable time and make extracts from or copies of the said maps, plans, sections, books, writings, extracts and copies of or from the same, so deposited with them respectively, on payment by each person to the clerk of the peace, sheriff clerk, clerk of the parish, schoolmaster, town clerk or postmaster having the custody of any such map, plan, section, book, writing, extract or copy, One Shilling for every such inspection, and the further sum of One Shilling for every hour during which such inspection shall continue after the first hour, and after the rate of Sixpence for every One hundred words copied therefrom.

Clerks of the Peace, &c. to permit such Documents to be inspected or copied by persons interested.

III. And be it further Enacted, That in case any clerk of the peace, sheriff clerk, parish clerk, schoolmaster, town clerk, postmaster or other person, shall in any matter or thing refuse or neglect to comply with any of the provisions hereinbefore contained, every clerk of the peace, sheriff clerk, parish clerk, schoolmaster, town clerk, postmaster or other person shall for every such offence forfeit and pay any sum not exceeding the sum of Five Pounds; and every such penalty shall, upon proof of the offence before any Justice of the Peace for the county within which such offence shall be committed, or by the confession of the party offending, or by the oath of any credible witness, be levied and recovered, together with the costs of the proceedings for the recovery thereof, by distress and sale of the goods and effects of the party offending, by warrant under the hand of such Justice, which warrant such Justice is hereby empowered to grant, and shall be paid to the person or persons making such complaint; and it shall be lawful for any such Justice of the Peace to whom any complaint shall be made of any offence committed against this Act to summon the party complained of before him, and on such summons to hear and determine the matter of such complaint in a summary way, and on proof of the offence to convict the offender, and to adjudge him to pay the penalty or forfeiture incurred, and to proceed to recover the same, although no information in writing or in print shall have been exhibited or taken by or before such Justice; and all such proceedings by summons without information shall be as good, valid and effectual to all intents and purposes as if an information in writing had been exhibited.

Clerks of the Peace, &c. for every omission to comply with the provisions of this Act, liable to the Penalty of 5 *l.*, to be recovered in a summary way.

Appendix.

Appendix (C.)

ANNO PRIMO & SECUNDO VICTORIÆ REGINÆ.

Cap. CXVII.

AN ACT to provide for the Custody of certain Monies paid in pursuance of the Standing Orders of either House of Parliament by Subscribers to Works or Undertakings to be effected under the Authority of Parliament.

WHEREAS it is expedient to provide for the custody of any sums of money paid in pursuance of any Standing Order of the Lords Spiritual and Temporal in Parliament assembled, or of the Commons in Parliament assembled, by subscribers to works or undertakings to be made under the authority of an Act of Parliament; BE it therefore Enacted by The Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, That in all cases in which any sum of money is required by any Standing Order of either House of Parliament, either now or hereafter to be in force, to be paid by the subscribers to any work or undertaking which is to be executed under the authority of an Act of Parliament, if the director or person or directors or persons having the management of the affairs of any such proposed work or undertaking, or any Five of them, shall apply to the Chairman of the Committees of the House of Lords with respect to any such money required by any Standing Order of the Lords Spiritual and Temporal in Parliament assembled, or to The Speaker of the House of Commons with respect to any such money required by any Standing Order of the Commons in Parliament assembled, the said Chairman or the said Speaker may, by warrant or order under his hand, direct that such sum of money shall be paid in manner hereinafter mentioned; that is to say, into the Bank of England in the name and with the privity of the Accountant-general of the Court of Exchequer in England, if the work or undertaking in respect of which the sum of money is required to be paid is intended to be executed in that part of the United Kingdom called England; or into the Bank of England in the name and with the privity of the said Accountant-general, or into any of the Banks in Scotland established by Act of Parliament or Royal Charter in the name and with the privity of The Queen's Remembrancer of the Court of Exchequer in Scotland, at the option of the person or persons making such application as aforesaid, in case such work or undertaking is intended to be executed in that part of the United Kingdom called Scotland; or into the Bank of Ireland in the name and with the privity of the Accountant-general of the Court of Chancery in Ireland, in case such work or undertaking is intended to be made or executed in that part of the United Kingdom called Ireland; and every such application as aforesaid to the said Chairman or Speaker shall be made in writing, and be signed by the director or directors or person or persons having the management of the said work or undertaking, or by any Five of them; and therein shall be stated the name or description of such work or undertaking, and name and place of abode or the names and places of abode of such director or directors, person or persons, and the sum of money required to be paid, and the bank and name into and in which the same is to be paid; and such particulars shall also be set forth in every such warrant or order; and such warrant or order shall be a sufficient authority for the Accountant-general of the said Court of Exchequer in England, the Queen's Remembrancer of the Court of Exchequer in Scotland, and the Accountant-general of the Court of Chancery in Ireland respectively, to permit the sum of money directed to be paid by such warrant or order to be placed to an account opened or to be opened in his name in the Bank mentioned in such warrant or order.

Authority to deposit.

Payment of Deposit.

II. And be it Enacted, That it shall be lawful for the person or persons named in such warrant or order, or the survivors or survivor of them, or any Five of them, to pay the sum of money mentioned in such warrant or order into the Bank mentioned in such warrant or order in the name and with the privity of the officer or person in whose name such sum shall be directed to be paid by such warrant or order, to be placed to his account there ex-parte the work or undertaking mentioned in such warrant or order; and every such sum so paid in, or the securities in or upon which the same may be invested as hereinafter mentioned, shall there remain until the same or such securities as aforesaid shall be paid out of such Bank in pursuance of the provisions of this Act: Provided always, That every sum paid into the Bank of England in the name and with the privity of the Accountant-general of the Court of Exchequer under the provisions of this Act, shall be paid in and placed to his account there pursuant to the method prescribed by an Act passed in the first year of the reign of his late Majesty King George the Fourth, intituled, "An Act for the better securing Money and Effects paid into the Court of Exchequer at Westminster on account of the Suitors of the said Court, and for the Appointment of an Accountant-general and Two Masters of the said Court, and for other Purposes, and pursuant to the General Orders of the said Court, and without Fee or Reward;" and every sum paid into the Bank of Ireland in the name and with the privity of the Accountant-general of the Court of Chancery in Ireland, under the provisions of this Act, shall

1 G. 4. c. 35.

shall be paid in and placed to his account pursuant to the method prescribed by an Act made and passed in the Parliament of Ireland in the twenty-third and twenty-fourth years of the reign of his late Majesty King GEORGE the Third, intituled, "An Act for the better securing the Monies and Effects of the Suitors of the Court of Chancery and Exchequer, by depositing the same in the National Bank, and to prevent the forging and counterfeiting any Draft, Order or other Voucher for the payment or Delivery of such Money and Effects, and for other Purposes," and pursuant to the general orders of the said Court, and without fee or reward.

23 & 24 G. 3. (I.)

Investment of Deposit.

III. And be it Enacted, That if the person or persons named in such warrant or order, or the survivor or survivors of them, or any Five of them, desire to have invested any sum so paid into the Bank of England or the Bank of Ireland, the court in the name of whose Accountant-general the same may have been paid, on a petition presented to such court in a summary way by him or them, may order that such sum shall, until the same be paid out of court in pursuance of this Act, be laid out in the Three per Centum Consolidated or Three per Centum Reduced Bank Annuities, or any Government security or securities.

Repayment of Deposit.

IV. And be it Enacted, That on the termination of the Session of Parliament in which the Petition or Bill for the purpose of making or sanctioning any such work or undertaking shall have been introduced into Parliament, or if such Petition or Bill shall be rejected or finally withdrawn by some proceeding in either House of Parliament, or shall not be allowed to proceed, or if an Act be passed authorizing the making of such work or undertaking; and if in any or either of the foregoing cases the person or persons named in such warrant or order, or the survivor or survivors of them, or the majority of such persons, apply by petition to the court in the name of whose Accountant-general the sum of money mentioned in such warrant or order shall have been paid, or to the Court of Exchequer in Scotland in case such sum of money shall have been paid in the name of the said Queen's Remembrancer, the court in the name of whose Accountant-general or Queen's Remembrancer such sum of money shall have been paid shall, by order, direct the sum of money paid in pursuance of such warrant or order, or the stocks, funds or securities in or upon which the same are invested, and the interest or dividends thereof, to be transferred and paid to the party or parties so applying, or to any other person or persons whom they may appoint in that behalf; but no such order shall be made in the case of any such Petition or Bill being rejected, or not being allowed to proceed, or withdrawn, unless it be proved by the certificate of the Chairman of Committees, if the said Petition or Bill was rejected or not allowed to proceed, or withdrawn in its passage through the House of Lords, or of the said Speaker, if the said Petition or Bill was rejected or not allowed to proceed, or withdrawn during its passage through the House of Commons, that the Petition or Bill has been either so rejected, or not allowed to proceed, or so withdrawn by some proceeding in one or other House of Parliament; which certificate the said Chairman or Speaker shall grant on the application in writing of the person or persons, or the majority of the persons, named in such warrant or order, or the survivor or survivors of them; and every such certificate shall be conclusive proof of such rejection, or not proceeding, or withdrawal.

STANDING ORDERS relative to PUBLIC MATTERS.

I.—Bills respecting Religion.

Religion.

THAT no Bill relating to Religion, or the alteration of the Laws concerning Religion, be brought into this House, until the Proposition shall have been first considered in a Committee of the whole House, and agreed unto by The House.

II.—Bills respecting Trade.

Trade.

THAT no Bill relating to Trade, or the alteration of the Laws concerning Trade, be brought into The House, until the Proposition shall have been first considered in a Committee of the whole House, and agreed unto by The House.

III.—Applications for Public Money.

Public Money.

1.—THAT this House will receive no Petition for any Sum of Money, relating to Public Service, but what is recommended from The Crown.

2.—That this House will not proceed upon any Petition, Motion or Bill, for granting any Money, or for releasing or compounding any Sum of Money owing to The Crown, but in a Committee of the whole House.

3.—That this House will not receive any Petition for compounding any Sum of Money owing to The Crown, upon any branch of the Revenue, without a Certificate from the proper Officer or Officers annexed to the said Petition, stating the Debt, what Prosecutions have been made for the Recovery of such Debt, and setting forth how much the Petitioner and his Security are able to satisfy thereof.

4.—That this House will not proceed upon any Motion for an Address to The Crown, praying that any money may be issued, or that any expense may be incurred, but in a Committee of the whole House.

Relaxation of Privilege of The House, so far as relates to Pecuniary Penalties for Offences.

5.—That in any Bill which, having passed the House of Lords, shall be sent down to this House for their concurrence, or in any Bill which, having passed this House, shall be returned by the Lords with Amendments, it shall appear that any Pecuniary Penalty or Forfeiture is thereby imposed, varied or taken away, The Speaker shall, before the Second Reading of such Bill or Amendments, report to The House his Opinion, whether the object thereof be to impose, vary, or take away any Pecuniary Charge or Burthen on the Subject, or whether the same relates only to the punishment or prevention of Offences; and The House shall thereupon determine whether it may be expedient, in such particular case, to insis upon the exercise of their Privilege to originate all such provisions respecting pecuniary Penalties or Forfeitures.

IV.—Temporary Laws.

Temporary Laws.

THAT the precise duration of every Temporary Law be expressed in the Title of the Bill, and also in a distinct Clause at the end of the Bill, and no where else.

PRESENTATION of PUBLIC PETITIONS.

1.

THAT every Member offering to present a Petition to The House, not being a Petition for a Private Bill, or relating to a Private Bill before The House, do confine himself to a statement of the Parties from whom it comes, of the number of signatures attached to it, and of the material allegations contained in it, and to the reading of the prayer of such Petition.

2.

THAT every such Petition not containing matter in breach of the Privileges of this House, and which, according to the Rules or usual Practice of this House, can be received, be brought to the Table by the direction of The Speaker, who shall not allow any Debate, or any Member to speak upon, or in relation to, such Petition ; but it may be read by the Clerk at the Table, if required.

3.

THAT if such Petition relate to any matter or subject which the Member presenting it is desirous of bringing before The House, and if such Member shall state it to be his intention to make a Motion thereupon, such Member may give Notice that he will make a Motion on some subsequent day, That the Petition be printed with the Votes.

4.

THAT, in the case of such Petition complaining of some present personal grievance, for which there may be an urgent necessity for providing an immediate remedy, the matter contained in such Petition may be brought into discussion on the presentation thereof.

5.

THAT all other such Petitions, after they shall have been ordered to lie on the Table, be referred to the Committee on Public Petitions, without any Question being put.

6.

THAT, subject to the above regulations, Petitions against any Resolution or Bill imposing a Tax or Duty for the current service of the year, be henceforth received, and the usage under which The House has refused to entertain such Petitions be discontinued.

PROMULGATION of STATUTES.

ON 3d *June* 1801, an Address was agreed to, by both Houses;—To present to His Majesty the following RESOLUTIONS; and to entreat His Majesty to give Directions for the more speedy and general Promulgation of the Statutes of the Realm:—And on 9th *June* 1801, His Majesty's Answer thereto was reported, That His Majesty would give Directions accordingly.

1.

THAT it is expedient, for the more speedy and general Promulgation of the Laws of the United Kingdom of *Great Britain* and *Ireland*, that His Majesty's Printer should be authorized and directed to print not less than 5,500 Copies of every Public General Statute, and 306 Copies of every Public Local and Personal Statute.

2.

THAT His Majesty's Printer should be authorized and directed to print and deliver, or transmit (by the Post, or otherwise,) so soon as possible after each Bill has received the Royal Assent, the aforesaid number of 5,500 Copies of each Public General Statute.

3.

THAT His Majesty's Printer should be authorized and directed to print, and deliver or transmit in like manner, the aforesaid 306 Copies of each Public Local and Personal Statute.

4.

THAT every Chief Magistrate and Head Officer of any City, Borough or Town Corporate in *England* and *Ireland*, and of every Royal Burgh in *Scotland*, and every Sheriff, Clerk of the Peace, and Town Clerk, in the United Kingdom of *Great Britain* and *Ireland*, receiving any such Copies, should preserve them for the public Use, and transmit them to his Successor in office.

5.

THAT for the purpose of effectuating the Promulgation of Private Statutes (if the Parties interested therein shall think proper) and also for making compensation to the Clerk of the Parliaments and Officers of the House of Lords (in lieu of their annual average emoluments arising from the Office Copies of such Statutes) without bringing any new charge upon the Public, the Parties interested in every such Statute should make good such expense and compensation; "and that thereupon such printed Copies of every such Statute should be made judicially admissible in evidence, by adding thereto a Clause declaring the same to be a Public Act."

6.

THAT His Majesty's Printer should also be authorized and directed to class the General Statutes, and the Public Local and Personal Statutes of each Session, in separate Volumes, and to number the Chapters of each class separately; and also, to print One general Title to each Volume together with a general Table of all the Acts passed in that Session.

In Session 1803, it was resolved by both Houses of Parliament,

That so much of the 5th Resolution of the Lords and Commons, of the Session 1801, as provided that printed copies of Private Statutes shall be made judicially admissible in evidence by adding thereto a Clause declaring the same to be a public Act, shall be vacated;

That so much of the Resolutions of the Lords and Commons, of Session 1801, as relates to the printing and distribution of Private Acts of Parliament, shall be construed to extend only to such Acts of Parliament in which a Clause shall be inserted, declaring that such Act shall be printed by the Printer to the King's Most Excellent Majesty, and may be given in evidence in all Courts of Justice, and before all Judges and Justices, who shall take judicial notice thereof, in like manner as if the same had been declared to be a Public Act. Co. Jour. 58. 273. 281.

By 41 Geo. III. c. 90. s. 9. it was enacted,

That the Statutes of *England* and of *Great Britain*, printed and published by the King's Printer, shall be received as evidence in any Court in *Ireland*, and the Statutes of *Ireland* prior to the Union, so printed and published, shall be received as evidence in any Court in *Great Britain*.

STANDING ORDERS

OF

THE HOUSE OF COMMONS.

1685—1844.

Ordered, by The House of Commons, *to be Printed,*
6 *August* 1844.

PRIVATE BILLS:

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ABSTRACT of STANDING ORDERS relating to the passing of PRIVATE BILLS through The HOUSE of COMMONS.

STAGES OF THE PROCEEDINGS.	NOTICES AND APPLICATIONS.	DEPOSITS.	INTERVALS TO BE OBSERVED.
Previous to the commencement of Proceedings in The House.	No. of Standing Order. 15.—Notice in the London, Edinburgh or Dublin Gazettes [as the case may be], and in some one and the same County Paper, in Three successive Weeks of October and November, or either of them.	No. of Standing Order. 23.—Deposit with the Clerk of the Peace, Plans, Sections and Books of Reference on or before the 23*a*—Deposit at Board of Trade, Plans, &c. on or before the 30th of November. 27.—Deposit with the Parish Clerks, &c. &c., Parochial Plans, Sections and Books of Reference on or before the 31st of December.	No. of Standi
Additional under special circumstances:			
If Lands or Houses to be taken.	17.—Application to Owners, Lessees and Occupiers on or before the 31st of December.	28.—Deposit in the Private Bill Office, Plans, Sections and Books of Reference on or before the 31st of December.	
If a First Class Bill -	18.—Notice on the Church Doors of all Parishes affected on Three successive Sundays in October and November, or either of them.	17.—Deposit in the Private Bill Office, Lists of Owners, Lessees and Occupiers, Estimates and Declarations, before the Presentation of the Petition.	
If to make a Burial Ground.	20.—Notice on the Church Doors of every adjoining Parish on Three successive Sundays in October and November, or either of them. 21.—Notice to the Owner and Occupier of every Dwelling-house within 300 Yards of the intended Burial Ground on or before the 31st of December.	44.—Deposit in the Private Bill Office, Copy of Deed of Partnership, or of Subscription Contract; also a Declaration.	
Presentation of the Petition for a Bill.	36.—Notice to Owners and Occupiers, if the Bill be to relinquish a work authorized by a former Act, before the Presentation of the Petition.	35.—Deposit in the Vote Office printed Copies of Subscription Contract, or of Declaration and Estimate, before the Presentation of the Petition.	102.—Petition to be presented within Twenty-one Days after the First Friday in the Session.
Committee on Petitions	129.—Notice in the Private Bill Office of the First Meeting of the Committee, Ten clear Days. 130.—Notice in the Private Bill Office of the Postponement of the First Meeting of the Committee, One clear Day.	- - - - - - - -	104.—Between the Presentation of Petition and the Meeting of the Committee, if an English Bill, Ten clear Days; if a Scotch or Irish Bill, Fifteen clear Days.
Second Reading - -	134.—Notice in the Private Bill Office of the Second Reading, Three clear Days.	- - - - - - - -	110.—Between the First and Second Reading, Three clear Days. 112.—Second Reading not within Two Months after the last Notice in the Newspapers. 114.—Second Reading not within Three clear Days after the Breviate shall have been laid on the Table.

ABSTRACT of Standing Orders relating to the passing of Private Bills through the House of Commons—*continued.*

STAGES OF THE PROCEEDINGS.	NOTICES AND APPLICATIONS.	DEPOSITS.	INTERVALS TO BE OBSERVED.
Committee on the Bill	No. of Standing Order. 135.—Notice in the Private Bill Office of the Meeting of the Committee, Seven clear Days.	No. of Standing Order. 136.—Deposit in the Private Bill Office a filled-up Bill, on giving Notice of the Committee.	No. of Standing Order. 117.—Between Second Reading and the Meeting of the Committee, Seven clear Days.
Postponement of the Committee.	137.—Notice in the Private Bill Office of the Postponement of First Meeting of the Committee, on the Day when Postponement is made.		
Re-committal of the Bill	135.—Notice in the Private Bill Office of the Meeting of the Committee, Three clear Days.	136.—Deposit in the Private Bill Office a filled-up Bill, as proposed to be submitted to the Committee, One clear Day before the Meeting of the Committee.	
Report - - -	139.—Notice in the Private Bill Office of the Report, and Consideration of the Report, One clear Day. 141.—Notice in the Private Bill Office of any Clause to be brought up, or Amendments to be made on the Report or Consideration of the Report, on the Day previous to such Report or Consideration.	120.—Deposit with the Door-keepers, Prints of the Bill as amended Three clear Days before the Report is considered.	
Third Reading -	142.—Notice in the Private Bill Office of the Third Reading, One clear Day. 141.—Notice in the Private Bill Office of any Clause to be brought up, or Amendments to be made on the Third Reading, on the Day previous to such Third Reading.		
Consideration of Lords' Amendments.	146.—Notice in the Private Bill Office of the Consideration of Lords' Amendments on the Day previous to such Consideration.		

I.

APPOINTMENT OF COMMITTEES.

Appointment of Committees.

STANDING ORDERS.

APPOINTMENT OF COMMITTEES.

1.

Committee on Petitions for Private Bills.

THAT a Committee be appointed at the commencement of every Session, consisting of *Forty-two* Members, of whom *Five* shall be a Quorum in opposed cases, and *Three* a Quorum in unopposed cases; and such Committee shall be denominated "THE SELECT COMMITTEE ON PETITIONS FOR PRIVATE BILLS."

2.

Sub-Committees on Petitions for Private Bills.

THAT the Select Committee on Petitions for Private Bills have leave to divide themselves into Sub-Committees, each consisting of *Seven* Members at the least, and to make regulations for the transaction of business.

3.

Committee on Standing Orders.

THAT a Committee be appointed at the commencement of every Session, consisting of *Eleven* Members, including the Chairmen of the Committee and of the Sub-Committees on Petitions for Private Bills, of whom *Five* shall be a Quorum; and such Committee shall be denominated "THE SELECT COMMITTEE ON STANDING ORDERS."

4.

Committee Selection.

THAT a Committee be appointed at the commencement of every Session, consisting of the Chairman of the Select Committee on Standing Orders and of the Chairmen of the Committee and of the Sub-Committees on Petitions for Private Bills, of whom *Three* shall be a Quorum; and such Committee shall be denominated "THE COMMITTEE OF SELECTION."

5.

Committee on Opposed Private Bills.

THAT the Committee on every "Opposed Private Bill," not being a Divorce Bill, shall consist of the Members on The Speaker's List of that County or that Division of a County to which the Bill specially relates, and of such number of "Selected Members" not locally interested in the Bill in progress, and in such proportion, as the circumstances of each case shall in the judgment of the Committee of Selection require, of which Committee *Five* (including the Quorum of selected Members) shall be a Quorum.

Appointment of Committees.

6.

Committee on Unopposed Private Bills.

THAT the Committee on every "Unopposed Private Bill," not being a Divorce Bill, and which shall have originated in this House, shall consist of the Chairman of the Committee of Ways and Means, together with the Members ordered to prepare and bring in the Bill; and that the Committee on every "Unopposed Private Bill," not being a Divorce Bill, which shall have been brought from the House of Lords, shall consist of the Chairman of the Committee of Ways and Means, and of not less than *Two* other Members to be named by the Committee of Selection; and that the Chairman of the Committee of Ways and Means shall be the Chairman of the Committee on every "Unopposed Private Bill," not being a Divorce Bill; and that such Chairman and *One* of such other Members shall be the Quorum required to be present during the whole progress of the Bill through such Committee.

7.

Committee on Divorce Bills.

THAT a Committee be appointed at the commencement of every Session, consisting of not more than *Fifteen* Members, of whom *Five* shall be a Quorum; and such Committee shall be denominated "THE SELECT COMMITTEE ON DIVORCE BILLS."

8.

Members not to be added to Committee, except by special order.

THAT after any Committee on a Private Bill shall have been formed, no Members be added thereto, unless by special order of The House.

II.

DUTIES OF COMMITTEES.

Committee on Petitions.

DUTY OF THE SELECT COMMITTEE ON PETITIONS FOR PRIVATE BILLS.

9.

Compliance with Standing Orders to be proved before Sub-Committee.

THAT the compliance with the following Standing Orders shall be proved before one of the Sub-Committees of the Select Committee on Petitions for Private Bills, and any parties shall be at liberty to appear and be heard, by themselves, their agents and witnesses, upon any Petition which may be referred to such Committee, complaining of a non-compliance with the Standing Orders, provided the matter complained of be specifically stated in such Petition, and that such Petition be presented *Three* clear days before the first meeting of such Sub-Committee.

10.

Proof of Notices on Church-doors, where Bills relate to *England*.

THAT in the case of any application for a Private Bill relating to *England*, the Committee may admit proof of the compliance with the Standing Orders which refer to the affixing to the Church-doors the requisite Notices, on the production of affidavits sworn before any Justices in Petty Sessions assembled, for the division within which the Churches on which the Notices have been affixed shall be respectively situated.

11.

Standing Orders may be proved on Affidavit.

Scotland.

THAT in the case of any application for a Private Bill relating to *Scotland*, the Committee may admit proof of the compliance with the Standing Orders of this House, on the production of Affidavits sworn before any Sheriff Depute or his Substitute there, whose Certificate shall be admitted as evidence of such proof having been made, unless the Committee shall require further evidence.

12.

Standing Orders may be proved on Affidavit.

Ireland.

THAT in the case of any application for a Private Bill relating to *Ireland*, the Committee may admit proof of the compliance with the Standing Orders of The House, on the production of Affidavits sworn before any Judge or Assistant Barrister of that part of the United Kingdom, whose Certificate shall be admitted as evidence of such proof having been made, unless the Committee shall require further evidence.

13.

Sub-Committee to report facts when Standing Orders have not been complied with.

THAT when the Sub-Committee shall report to The House that the Standing Orders have not been complied with, they do report the facts upon which their decision is founded, and any special circumstances connected with the case.

Committee on Petitions.

14.

Notices of Application.

THAT Notices be given in all cases where Application is intended to be made for leave to bring in a Bill relating to the subjects included in any of the following Classes:—

1st CLASS.—Burial Ground, Making, Maintaining or Altering.
Church or Chapel, Building, Enlarging, Repairing or Maintaining.
City or Town, Paving, Lighting, Watching, Cleansing or Improving.
Crown, Church, or Corporation Property, or Property held in Trust for Public or Charitable Purposes.
Fishery, Making, Maintaining or Improving.
Land, Inclosing, Draining or Improving.
Market or Market-place.
Local Court, Constituting.
Market or Market-place, Erecting, Improving, Repairing, Maintaining, or Regulating.
Poor, Maintaining or Employing.
Poor Rate.
Stipendiary Magistrate, or any Public Officer, Payment of, if not out of County Rate.

2d CLASS.—Making, Maintaining, Varying, Extending or Enlarging any

Aqueduct.	Navigation.
Archway.	Pier.
Bridge.	Port.
Canal.	Railway.
Cut.	Reservoir.
Dock.	Tunnel.
Ferry.	Turnpike Road.
Harbour.	Waterwork.

3d CLASS.—Continuing or amending an Act passed for any of the purposes included in this or the two preceding Classes, where no further work than such as was authorized by a former Act is proposed to be made.
Company, Incorporating or giving Powers to.
County Rate.
County or Shire Hall, Court House.
Gaol or House of Correction.
Letters Patent, Confirming, Prolonging or Transferring the Term of.
Powers to sue and be sued, Conferring.
Stipendiary Magistrate, or any Public Officer, Payment of, if out of County Rate.

15.

Notices to be published.

THAT such Notices be published in *Three* successive *Weeks* in the months of *October* and *November*, or either of them, immediately preceding the Session of Parliament in which Application for the Bill shall be made, in the *London*, *Edinburgh* or *Dublin Gazette*, as the case may be, and in some one and the same Newspaper of the County in which the City, Town or Lands to which such Bill relates shall be situate; or if there be no Newspaper published therein, then in the Newspaper of some County adjoining or near thereto; or if such Bill do not relate to any particular City, Town or Lands, in the *London*, *Edinburgh* or *Dublin Gazette* only, as the case may be; and that all Notices required to be inserted in the *London*, *Edinburgh* or *Dublin Gazette*, be delivered at the Office of the Gazette in which the insertion is required to be made, during the usual office

Committee on Petitions.

office hours, at least *Two* clear *days* previous to the publication of the Gazette, and that the receipt of the Printer for such Notice shall be proof of its due delivery.

16.

Intention to levy or alter Tolls to be stated.

THAT if it be the intention of the Parties applying for leave to bring in a Bill, to obtain powers for the compulsory purchase of Lands or Houses, or to levy any Tolls, Rates or Duties, or to alter any existing Tolls, Rates or Duties, or to confer, vary, or extinguish any exemptions from payment of Tolls, Rates or Duties, or any other rights or privileges, the Notices shall specify such intention.

17.

Application to Owners, &c.

THAT on or before the 31st day of *December* immediately preceding the application for a Bill by which any Lands or Houses are intended to be taken, or an extension of the time granted by any former Act for that purpose is sought, application in writing, (and in cases of Bills included in the second class, in the form, as near as may be, set forth in the Appendix marked (A.)), be made to the Owners or reputed Owners, Lessees or reputed Lessees, and Occupiers, either by delivering the same personally, or by leaving the same at their usual Place of Abode, or in their absence from the United Kingdom, with their Agents respectively, of which application having been duly made, the production of a written acknowledgment by the party applied to of the receipt of such application, shall be sufficient evidence, in the absence of other proof, of the same having been duly delivered or left as aforesaid; and that separate Lists be made of the Names of such Owners, Lessees and Occupiers, distinguishing which of them have assented, dissented, or are neuter in respect thereto. (*See* as to depositing said Lists in Private Bill Office, page 49, No. 127.)

ORDERS specially relating to BILLS of the FIRST CLASS.

18.

Notices on Church Doors.

THAT in cases of Bills included in the First Class, Notices shall also be affixed to the Outer Doors of the Churches of every Parish to which they specially relate, for *Three* successive *Sundays* in the months of *October* and *November*, or either of them.

Crown, &c. Property.

19.

Notice to Owners, &c.

THAT in cases of intended Application to Parliament for Bills relating to Crown, Church or Corporation Property, or Property held in Trust for Public or Charitable Purposes, Notice in writing of such intention be given to the Owners or reputed Owners of such Property, and to the Lessees or reputed Lessees of such Property, holding Leases granted for a life or lives, or for any term of Twenty-one Years or upwards; such Notice to be given as aforesaid previous to the Presentation of the Petition for leave to bring in the Bill, or, in the case of a Bill brought from The House of Lords, previous to the First Reading thereof.

Committee on Petitions.

Burial Grounds.

20.

Notices on Church Doors.

THAT Notices be affixed to the Outer Doors of the Churches of every Parish adjoining that in which a Burial Ground is proposed to be made, for *Three* successive *Sundays* in the months of *October* and *November*, or either of them.

21.

Notice to Owners and Occupiers of Houses.

THAT on or before the *Thirty-first* day of *December* immediately preceding the Application for any Bill for making a Burial Ground, Notice be given to the Owner and Occupier of every Dwelling House situated within 300 Yards of the Boundary of the proposed Burial Ground.

ORDERS specially relating to BILLS of the SECOND CLASS.

22.

Notices to contain Names of Parishes, &c.

THAT in cases of Bills included in the Second Class, all Notices shall contain the Names of the Parishes, Townships, Townlands and extra-parochial places from, in, through, or into which the Work is intended to be made, maintained, varied, extended or enlarged, and shall state the time and place of deposit of the Plans, Sections and Books of Reference respectively, with the Clerks of the Peace, Parish Clerks, Schoolmasters, Town Clerks and Postmasters, as the case may be. (*See* Nos. 23 & 27.)

23.

Plans, &c. with Clerk of the Peace.

THAT a Plan, and also a duplicate of such Plan, on a scale of not less than Four Inches to a Mile, be deposited for public inspection at the office of the Clerk of the Peace for every County, Riding or Division in *England* or *Ireland*, or in the Office of the Principal Sheriff Clerk of every County in *Scotland*, in or through which the Work is proposed to be made, maintained, varied, extended or enlarged, on or before the 30th day of *November*, immediately preceding the Session of Parliament in which Application for the Bill shall be made; which Plans shall describe the line or situation of the whole of the Work, and the Lands in or through which it is to be made, maintained, varied, extended or enlarged, or through which every communication to or from the Work shall be made, together with a Book of Reference containing the Names of the Owners or reputed Owners, Lessees or reputed Lessees, and Occupiers of such Lands respectively; and in the case of Bills relating to Turnpike Roads, Cuts, Canals, Reservoirs, Aqueducts and Railways, a Section and Duplicate thereof, as hereinafter described, shall likewise be deposited with such Plan and Duplicate.

23 *a*.

Plans, &c. at Board of Trade.

THAT in the case of Railway Bills, a Copy of all Plans, Sections, and Books of Reference, required by the Orders of the House to be deposited in the Office of any Clerk of the Peace or Sheriff Clerk, on or before the 30th day of November immediately preceding the Session of Parliament in which application for the Bill shall be made, shall on or before the same day be deposited in the Office of the Railway Department of the Board of Trade.

24. THAT

Committee on Petitions.

24.

Lands within Deviation to be on Plan.

THAT where it is the intention of the Parties to apply for powers to make any lateral deviation from the line of the proposed Work, the limits of such deviation shall be defined upon the Plan, and all Lands included within such limits shall be marked thereon, and that in all cases, excepting where the whole of such Plan shall be upon a scale of not less than a *quarter* of an *inch* to every 100 feet, an additional Plan of any Building, Yard, Court-Yard or Land within the curtilage of any Building, or of any Ground cultivated as a Garden, either on the original line or included within the limits of the said deviation, shall be laid down on the said Plan or on the additional Plan deposited therewith, upon a scale of not less than a *quarter* of an *inch* to every 100 feet. (*See* Fig. 3.)

Buildings, &c. on enlarged Scale.

25.

Section.

THAT the Section be drawn to the same horizontal scale as the Plan, and to a vertical scale of not less than *one inch* to every 100 feet, and shall show the surface of the ground marked on the Plan, and the intended level of the proposed Work, and a datum horizontal line, which shall be the same throughout the whole length of the Work, or any Branch thereof respectively, and shall be referred to some fixed point stated in writing on the Section, near either of the termini. (*See* Line D. D., Fig. 2.)

26.

Clerks of Peace to indorse a Memorial on Plans, &c.

THAT the Clerks of the Peace or Sheriff Clerks, or their respective Deputies, do make a Memorial in writing upon the Plans, Sections and Books of Reference so deposited with them, denoting the time at which the same were lodged in their respective offices, and do at all seasonable hours of the day permit any person to view and examine one of the same, and to make copies or extracts therefrom; and that *one* of the two Plans and Sections so deposited, be sealed up and retained in the possession of the Clerk of the Peace or Sheriff Clerk until called for by order of one of the Two Houses of Parliament. (*See* Appendix, Act 1 Vict. c. 83.)

27.

Plan and Section with Parish Clerk, &c.

THAT on or before the 31st day of *December*, a copy of so much of the said Plans and Sections as relates to each Parish in or through which the Work is intended to be made, maintained, varied, extended or enlarged, (*see* Fig. 5.), together with a Book of Reference thereto, be deposited with the Parish Clerk of each such Parish in *England*, the Schoolmaster of each such Parish in *Scotland*, (or in Royal Burghs with the Town Clerk), and the Postmaster of the Post-town in or nearest to such Parish in *Ireland*. (*See* Appendix, Act 1 Vict. c. 83.)

28.

Time for Deposit in Private Bill Office.

THAT on or before the 31st day of *December*, a copy of the said Plans, Sections and Books of Reference be deposited in the Private Bill Office of this House.

Committee on Petitions.

29.

Estimate and Subscription Contract.

THAT an Estimate of the Expense be made and signed by the person making the same, and that a Subscription be entered into under a Contract, made as hereinafter described, to *three-fourths* the amount of the Estimate. (*See* as to depositing Estimate and Subscription Contract in Private Bill Office, p. 49, No. 127.)

30.

Cases wherein Declaration may be substituted for Subscription Contract.

THAT in cases where the Work is to be made by means of Funds, or out of Money to be raised upon the credit of present Surplus Revenue, under the control of Directors, Trustees, or Commissioners, as the case may be, of any existing Public Work, a Declaration stating those facts, and setting forth the nature of such control, and the nature and amount of such Funds or Surplus Revenue, and given under the common seal of the Company, or under the hand of some authorized Officer of such Directors, Trustees or Commissioners, may be substituted in lieu of the Subscription Contract, and in addition to the Estimate of the Expense. (*See* as to depositing Subscription Contracts in Private Bill Office, p. 49, No. 127.)

31.

Cases wherein Declaration and Estimate of Amount of Rates may be substituted for Subscription Contract.

THAT in cases where the Work is to be made out of Money to be raised upon the Security of the Rates, Duties or Revenue to be created by or to arise under any Bill, under which no private or personal pecuniary profit or advantage is to be derived, a Declaration stating those facts, and setting forth the means by which Funds are to be obtained for executing the Work, and signed by the Party or Agent soliciting the Bill, together with an Estimate of the probable amount of such Rates, Duties or Revenue, signed by the Person making the same, may be substituted in lieu of the Subscription Contract, and in addition to the Estimate of the Expense. (*See* as to depositing Estimate and Subscription Contract in Private Bill Office, p. 49, No. 127.)

32.

Contract to contain Christian and Surnames of Parties.

THAT every Subscription Contract contain the Christian and Surnames, Description and Place of Abode of every Subscriber; his Signature to the amount of his Subscription, with the amount which he has paid up; and the Name of the Party witnessing such Signature, and the date of the same respectively.

33.

One-twentieth part of amount subscribed to be deposited,

THAT previous to the presentation of a Petition for a Bill, a sum equal to *One-twentieth* part of the amount subscribed shall be deposited with the Court of Chancery in *England*, if the Work is intended to be done in *England*, or with the Court of Chancery in *England* or the Court of Exchequer in *Scotland*, if such Work is intended to be done in *Scotland*, and with the Court of Chancery in *Ireland*, if such Work is intended to be done in *Ireland*. (*Vide* Appendix C.)

Committee on Petitions.

34.

Not valid unless entered into subsequent to close of previous Session.

That no Subscription Contract shall be valid, excepting in the case of Railway Bills, (for which *see* Order 40), unless it be entered into subsequent to the close of the Session of Parliament previous to that in which application is made for leave to bring in the Bill to which it relates, and unless the Parties subscribing to it bind themselves, their Heirs, Executors and Administrators, for the Payment of the Money so subscribed.

35.

Copies of Subscription Contract, or of Declaration, &c., to be printed, and delivered in Vote Office.

That previous to the presentation of a Petition for a Bill, copies of the Subscription Contract, with the Names of the Subscribers arranged in alphabetical order, and the amount of the Deposit respectively paid up by each such Subscriber, or where a Declaration and Estimate of the probable amount of Rates and Duties are substituted in lieu of a Subscription Contract, copies of such Declaration or of such Declaration and Estimate be printed at the expense of the Promoters of the Bill, and be delivered at the Vote Office for the use of the Members of The House.

36.

Notice to Owners, &c., when the Bill is to abridge any Public Work.

That previous to the presentation of a Petition for a Bill whereby any part of a Work authorized by any former Act is intended to be relinquished, Notice in writing of such Bill be given to the Owners or reputed Owners and Occupiers of the Lands in which the part of the said Work intended to be thereby relinquished is situate.

Cuts, Canals, Reservoirs, Aqueducts and Navigations.

37.

When it is intended to divert Water from an existing Cut, &c., into an intended Cut, &c., the name of the existing Cut, &c., to be mentioned.

That in all cases where it is proposed to divert into any intended Cut, Canal, Reservoir, Aqueduct, or Navigation, or into any intended variation, extension, or enlargement thereof respectively, any Water from any existing Cut, Canal, Reservoir, Aqueduct, or Navigation, whether directly or derivatively, and whether under any agreement with the Proprietors thereof or otherwise, the Notices shall contain the name of every such existing Cut, Canal, Reservoir, Aqueduct or Navigation, the Waters supplying which, by virtue of any Act of Parliament, will either directly or derivatively flow or proceed into any such intended Cut, Canal, Reservoir, Aqueduct, or Navigation, or into any intended variation, extension or enlargement thereof.

38.

Plan to describe Brooks &c. to be diverted.

That in all cases where it is proposed to make, vary, extend or enlarge any Cut, Canal, Reservoir, Aqueduct or Navigation, the Plan shall describe the Brooks and Streams to be directly diverted into such intended Cut, Canal, Reservoir, Aqueduct or Navigation, or into any variation, extension or enlargement thereof respectively, for supplying the same with Water; it shall also exhibit the height of the several Embankments, and the depth of the several Cuttings respectively, on a scale specified thereon (*see* Fig. 1); and in cases of Bills for improving the Navigation of any

Committee on Petitions.

River, there shall be a Section which shall specify the Levels of both Banks of such River, and where any alteration is intended to be made therein, it shall describe the same by feet and inches.

Railways.

39.

Copy of Bill annexed to Petition to be deposited at Board of Trade.

THAT in the case of Railway Bills, a Copy of every Bill annexed to a Petition be deposited in the Office of the Railway Department of the Board of Trade, on or before the day of presentation of the Petition to the House.

39 *a.*

One-twentieth part of Amount subscribed to be deposited.

THAT previous to the presentation of a Petition for a Railway Bill, a sum equal to One-twentieth part of the amount subscribed shall be deposited with the Court of Chancery in England, if the Railway is intended to be made in England; or with the Court of Chancery in England or the Court of Exchequer in Scotland, if such Railway is intended to be made in Scotland; and with the Court of Chancery in Ireland, if such Railway is intended to be made in Ireland.

40.

Subscription Contract not valid unless entered into subsequent to the last day of receiving Petitions in previous Session.

THAT as regards Railway Bills, no Subscription Contract shall be valid, unless it be entered into subsequent to the day fixed in the Session of Parliament previous to that in which application is made for leave to bring in the Bill to which it relates, as the last day on which Petitions for Private Bills may be presented, and unless the parties subscribing to it bind themselves, their heirs, executors and administrators, for the payment of the money so subscribed.

40 *a.*

Distances to be marked in Miles and Furlongs, and memorandum of Curves.

THAT in all cases where it is proposed to make, vary, extend, or enlarge any Railway, the Plan shall exhibit thereon the distances in miles and furlongs, from one of the termini; and a memorandum of the radius of every curve not exceeding one mile in length shall be noted on the Plan in miles and chains.

41.

Line of Railway on Section to correspond with upper surface of Rails.

THAT in every Section of a Railway, the Line marked thereon shall correspond with the upper surface of the rails.

41 *a.*

Vertical measures to marked at change of gradient.

THAT distances on the Datum Line shall be marked in miles and furlongs, to correspond with those on the Plan; that a vertical measure from the Datum Line to the Line of the Railway shall be marked in feet and inches at each change of the gradient or inclination; and that the proportion or rate of inclination between each such change shall also be marked.

42.

Height of Railway, over or under surface, to be marked at every crossing of a Road, &c.

THAT the height of the Railway over or under the surface of every turnpike-road, public carriage-road, navigable River, Canal, or Railway, or junction with a Railway, shall be marked in figures at

at every crossing thereof, and the extreme height over or under the surface of the ground shall be marked for every embankment and cutting; and if any alteration in the present level or rate of inclination of any turnpike-road, carriage-road, or Railway be intended, then the same shall be stated on the said Section, and each numbered; also that Cross Sections, in reference to the said numbers, on a horizontal scale of one inch to every 330 feet, and on a vertical scale of one inch to every 40 feet, shall be added, to explain the nature of such alterations more clearly.

43.

Tunnelling and Viaduct to be marked.

That where tunnelling as a substitute for open cutting, or a viaduct as a substitute fo rsolid embankment, be intended, the tunnelling shall be marked by a dotted line on the Plan, and shall also be marked on the Section, and the viaduct shall be marked on the Section.

Orders specially relating to Bills of the Third Class.

44.

Documents to be deposited in Private Bill Office.

That as respects all Bills of the Third Class for the Incorporation of Joint Stock Companies, or proposed Companies for carrying on any Trade or Business, or for conferring upon such Companies the power of suing and being sued, there be deposited in the Private Bill Office, previous to the Presentation of the Petition for the Bill, a copy of the Deed or Agreement of Partnership (if any) under which the Company or proposed Company is acting, or of the Subscription Contract (if any), together with a declaration in writing stating the following matters:—

1st.—The present and proposed amount of the Capital of the Company.

2d.—The number of Shares, and the amount of each Share.

3d.—The number of Shares subscribed for.

4th.—The amount of Subscriptions paid up.

5th.—The names, residences and descriptions of the Shareholders or Subscribers (so far as the same can be made out), and of the actual or provisional Directors, Treasurers, Secretaries or other officer, if any.

And such documents shall be verified by the signature of some authorized officer of the Company or proposed Company (if any), and by some responsible party promoting the Bill. (*See* as to depositing documents in Private Bill Office, Order, page 49, No. 127.)

Letters Patent.

45.

Name of Invention to be prefixed in Capitals to Notice.

That in cases of Bills for confirming or prolonging the terms of Letters Patent, each Notice shall have prefixed to it in Capital Letters the name by which the Invention is usually distinguished, and shall contain a distinct description of the Invention for which such Letters Patent have been obtained, and also an account of the Term of their Duration.

Committee on Standing Orders.

DUTY OF THE SELECT COMMITTEE ON STANDING ORDERS.

46.

THAT when any Report of the Select Committee on Petitions for Private Bills, in which they shall report that the Standing Orders have not been complied with, shall have been referred to the Select Committee on Standing Orders, they shall report to The House whether such Standing Orders as have not been complied with ought or ought not to be dispensed with, and whether in their opinion the parties should be permitted to proceed with their Bill, or any portion thereof, and under what (if any) conditions.

Select Committee on Standing Orders to report whether Standing Orders ought or ought not to be dispensed with.

47.

THAT when any Petition for leave to dispense with any of the Sessional Orders of The House relating to Private Bills, shall have been referred to the Select Committee on Standing Orders, they shall report to The House whether such Sessional Orders ought or ought not to be dispensed with.

Select Committee on Standing Orders to report whether Sessional Order ought or ought not to be dispensed with.

48.

THAT when any Clause or Amendment proposed to any Private Bill on the Report, or the Consideration of the Report thereof, shall have been referred to the Select Committee on Standing Orders, they shall report to The House whether such Clause or Amendment be of such a nature as not to be adopted by The House without the Re-commitment of the Bill, or of such a nature as to justify The House in entertaining it without recurring to that proceeding, or of such a nature as not in either case to be adopted by The House.

Committee to report whether Clause and Amendment on Report ought to be adopted or not by House without Re-commitment.

49.

THAT when any Clause or Amendment proposed to any Private Bill on the Third Reading shall have been referred to the Select Committee on Standing Orders, they shall report to The House whether such Clause or Amendment ought or ought not to be adopted by The House at that stage.

Committee to report whether Clause or Amendment on Third Reading ought to be adopted or not by House at that stage.

Committee of Selection.

DUTY OF THE COMMITTEE OF SELECTION.

50.

Opposed Bill to be referred to Speaker's List, &c.

That the Committee of Selection shall refer every Private Bill referred to them, when it be opposed, to the Speaker's List of that County or that Division of a County to which the Bill specially relates, and to such number of Members not locally interested in the Bill as the circumstances of the case shall in their judgment require.

51.

Quorum of Selected Members.

That the Committee of Selection shall in each case direct what number of the Members (not locally interested in the Bill) selected and added to the Speaker's List by them, shall be a Quorum of such Members.

52.

Notice to Selected Members.

That the Committee of Selection shall, after the name of any Member shall have been added by them to the Speaker's List, direct the Clerk attending them to give notice as soon as possible to such Member of his Name having been so added, and of the time when the Committee on the Bill shall have been appointed to meet.

53.

What Bills not to be considered opposed.

That the Committee of Selection shall consider no Bill as an opposed Private Bill where no Petition has been presented in which the Petitioners pray to be heard, by themselves, their Counsel or Agents, unless in cases where the Chairman of Ways and Means shall have reported to The House that in his opinion any Bill should be so treated.

54.

Unopposed Bills to be referred to the Chairman of Ways and Means, &c.

That the Committee of Selection shall refer every unopposed Private Bill referred to them, and which shall have originated in this House, to the Chairman of the Committee of Ways and Means, together with the Members ordered to prepare and bring in the Bill; and shall refer every unopposed Private Bill referred to them, which shall have been brought from the House of Lords, to the Chairman of the Committee of Ways and Means, together with not less than *Two* other Members, to be named by the Committee of Selection.

55.

Committee of Selection to appoint First Sitting of Committee.

That the Committee of Selection shall, subject to the order that there be *Seven* clear days between the Second Reading of every Private Bill and the Sitting of the Committee thereupon, fix the time for holding the *First Sitting* of every Committee on a Private Bill referred to them; but in the case of unopposed Private Bills, after communication with the Members who are to form the Committee on such Bill.

56.

Postponement of First Sitting.

That no Postponement of the First Sitting of any Committee on a Private Bill shall take place, unless such Postponement, and the Duration of it, shall have been sanctioned by the Committee of Selection.

Committee on the Bill.

DUTY OF THE COMMITTEE ON THE BILL.

Orders specially relating to the Committee on an Opposed Bill.

57.

That each Member appointed to serve as a Member of a Committee on an opposed Private Bill, whether he be on the Speaker's List or one of the Selected Members, before he be entitled to attend and vote on such Committee, shall (according to the class to which he may belong) sign one of the following Declarations. Members of Committee to sign Declaration.

58.

That the following shall be the several Forms of Declaration :— Declaration of Member on Speaker's List.

No. 1.—Declaration of a Member whose Name is on the List prepared under the direction of Mr. Speaker for . . .

I, A. B., being one of the Members whose name is on the List prepared under the direction of Mr. Speaker, to which List the Bill for . . . . . has been committed, do hereby declare, That I will never vote on any question which may arise without having duly heard and attended to the Evidence relating thereto.

Memorandum.—*The Declaration, signed as aforesaid, must be delivered to the Clerk of the Committee on the Bill before the Committee shall proceed to appoint a Chairman, otherwise the Member signing the same shall not be entitled to attend or vote.*

No. 2.—The Declaration of a Member whose Name has been added to the List prepared under the direction of Mr. Speaker by the Committee of Selection, his constituents having no local interest in the Bill for . . . . . Declaration of selected Member.

I, C. D., being one of the Members selected and added to the List by the Committee of Selection, to which List the Bill for . . . . . has been committed, do hereby declare, That my constituents have no local interest, and that I have no personal interest, in such Bill; and that I will never vote on any question which may arise without having duly heard and attended to the Evidence relating thereto.

Memorandum.—*The Declaration, signed as aforesaid, must be delivered to the Clerk of the Committee on the Bill before the Committee shall proceed to appoint a Chairman, otherwise the Member signing the same shall not be entitled to attend or vote.*

59.

That the Committee Clerk shall furnish to each Member appointed to serve on a Committee on a Private Bill, who shall apply for the same, a Form of one of the above Declarations, according to the class to which the Member may belong; and Form of Declaration supplied by Clerk.

Committee on the Bill.

that such application shall be made to the Committee Clerk, either in the Committee Clerks' Office, previous to the time when the Committee shall have been appointed to meet, or in the Committee Room, previous to the door thereof being locked, as hereinafter directed.

60.

When Member not entitled to attend or vote.

THAT no Member shall be entitled to attend or vote in a Committee on an opposed Private Bill, who shall not have delivered his Declaration to the Clerk, previous to the time when the door of the Committee Room shall be locked for the appointment of the Chairman, and who shall not have been present at such appointment.

61.

Quorum to be always present.

THAT Five Members (including the Quorum of Selected Members) shall be the Quorum of every Committee on an opposed Private Bill, and that no such Committee shall proceed to business, or continue their inquiry or deliberations, unless such number of Members appointed and duly qualified to serve on such Committee shall be present.

62.

When Proceedings of Committee to commence.

THAT so soon after the expiration of *ten minutes*, and not sooner, after the time appointed for the first sitting of a Committee on an opposed Private Bill, as there shall be present at least *Five* Members appointed and duly qualified to serve on such Committee (including a Quorum of Selected Members), the Clerk shall direct the Messenger in attendance on the Committee to clear the room of all strangers, and to lock the door of the Committee Room; and the Members then present shall proceed to appoint a Chairman.

63.

Chairman to be a Selected Member.

THAT the Member to be appointed the Chairman of each Committee on an opposed Private Bill shall be one of the Selected Members.

64.

Proceedings to be suspended if Quorum not present.

THAT if at any time during the sitting of the Committee a Quorum of the Selected Members shall not be present, the Chairman of the Committee shall suspend the proceedings of such Committee until such Quorum shall be present; and that if at the expiration of *one hour* from the time fixed for the meeting of the Committee, or from the time when the Chairman shall so have suspended the proceedings of such Committee, a Quorum of the Selected Members shall not be present, the Chairman shall *adjourn* the Committee for any period not exceeding Two clear days, or to the day on which The House shall next thereafter meet, and report to The House the circumstances of the case.

65.

Absence of Quorum by Death or otherwise to be reported.

THAT if at any time after the Committee on a Bill shall have been formed, a Quorum of Members required by the Standing Orders cannot attend in consequence of any of the Members who

Committee on the Bill.

who shall have duly qualified to serve on such Committee having become incompetent to continue such service by having been placed on an Election Committee, or by death or otherwise, the Chairman shall report the circumstances of the case to The House, in order that such measures may be taken by The House as shall enable the Members still remaining on the Committee to proceed with the business referred to such Committee, or as the exigency of the case may require.

66.

Petition against Bill not to be considered except grounds of objection sufficiently specified.

That no Petition against a Private Bill be taken into consideration by the Committee on such Bill, which shall not distinctly specify the ground on which the Petitioners object to any of the provisions thereof; and that the Petitioners be only heard on such grounds so stated; and if it shall appear to the said Committee, that such grounds are not specified with sufficient accuracy, the Committee may direct that there be given in to the Committee a more specific Statement, in writing, but limited to such grounds of Objection so inaccurately specified.

67.

Petition against Bill to be presented Three days before first day appointed for meeting.

That no Petitioners against any Private Bill shall be heard before the Committee on the Bill, unless the Petition shall have been presented to this House *Three* clear *days* before the day appointed for the first meeting of such Committee, unless the Petitioners shall complain of any matter which may have arisen during the progress of the Bill before the said Committee.

Orders specially relating to the Committee on an Unopposed Bill.

68.

What Chairman to be appointed.

That the Chairman of the Committee of Ways and Means shall be the Chairman of the Committee on every unopposed Private Bill (not being a Divorce Bill), and that such Chairman and one of the other Members of the Committee shall be the Quorum thereot.

69.

Chairman at liberty to report that any Bill should be treated as opposed.

That the Chairman of the Committee on every unopposed Private Bill (not being a Divorce Bill), shall be at liberty, at any period after such Bill shall have been referred to him and the other Members of the Committee, to report his opinion to The House (if he shall think fit), that such Bill should be treated as an opposed Private Bill; in which case such Bill shall be again referred to the Committee of Selection, and shall be dealt with by them as an opposed Private Bill.

70.

Filled-up Bills to be laid before Chairman and Committee.

That a filled-up Bill, signed by the Agent for the Bill, as proposed to be submitted to the Committee, be laid by him before such Chairman at the time of giving notice of the meeting of the Committee on the Bill, and that similar copies be also laid by the Agent for the Bill before the other Members of the said Committee *Three days* at the least before the *First Meeting* thereof.

Committee on the Bill.

Orders relating to Committees on Bills, whether Opposed or Unopposed.

71.

Names of Members to be entered on Minutes.

That the Names of the Members attending each Committee be entered by the Clerk on the Minutes of the Committee; and if any Division shall take place in the Committee, the Clerk do take down the Names of Members voting in any such Division, distinguishing on which side of the question they respectively vote, and that such Lists be given in with the Report to The House.

72.

Committee on Bill not to inquire into certain Standing Orders.

That no Committee shall have power to examine into the compliance or non-compliance with such Standing Orders as are directed to be proved before the Select Committee on Petitions for Private Bills, unless by special order of The House.

73.

Standing Orders and Consents may be proved on Affidavit.

Scotland.

That in the case of any Private Bill relating to *Scotland*, the Committee may admit proof of the compliance with the Standing Orders of this House, and of the Consents of Parties concerned in interest in such Private Bill, on the production of Affidavits sworn before any Sheriff Depute or his Substitute there, whose Certificate shall be admitted as evidence of such proof having been made, unless the Committee shall require further evidence.

74.

Standing Orders and Consents may be proved on Affidavit.

Ireland.

That in the case of any Private Bill relating to *Ireland*, the Committee may admit proof of the compliance with the Standing Orders of The House, and of the Consents of Parties concerned in interest in such Private Bill, on the production of Affidavits sworn before any Judge or Assistant Barrister of that part of the United Kingdom, whose Certificate shall be admitted as evidence of such proof having been made, unless the Committee shall require further evidence.

75.

Consents in all other Cases.

That in all other instances, the Committee may admit proof of the Consents of Parties concerned in interest in any Private Bill, on the production of Certificates in writing of such Parties, whose Signature to such Certificate shall be proved by *one* or more Witnesses, unless the Committee shall require further Evidence.

76.

Clause compelling payment of Subscriptions.

That in all Bills presented to The House for carrying on any Work by means of a Company, Commissioners or Trustees, Provision be made for compelling Persons who have subscribed any Money towards carrying any such Work into execution, to make payment of the Sums severally subscribed by them.

77. That

Committee on the Bill.

77.

Provision to be made in Bills, by which Tolls, &c. may be levied.

THAT in all Bills whereby any Parties are authorized to levy Fees, Tolls or other Rate or Charge, Clauses be inserted, providing for the following objects, except in so far as any of such objects shall have been provided for in some general Act applicable to the subject-matter of the Bill:—

Security to be taken from Treasurer, &c.

That security be taken from the Treasurer, Collector, or Receiver, and every other officer entrusted with the collection or custody of monies under the Bill, for the faithful execution of his office.

Accounts to be kept.

That full and accurate Accounts be kept of all monies received and expended under the provisions of the Bill, and that such Accounts be balanced once in each year at the least.

Accounts to be audited.

That such Accounts be duly audited once in each year at the least, and that for such purpose an Auditor or Auditors be appointed by some person or persons not immediately connected with the Commissioners, Directors, Trustees, or other party, by whom, or by whose direction or authority, such Fees, Tolls, Rates or Charges shall be levied.

Accounts, Vouchers, &c., to be produced to Auditors.

That for the purpose of auditing such Accounts, the Commissioners, Directors, Trustees or other such party as aforesaid be required to cause the Accounts, together with all their Books and Vouchers, to be produced to the Auditors.

Remuneration to Auditors.

That the remuneration of the Auditor, and his expenses, be defrayed out of the funds levied under the Bill.

Account to be annually transmitted to Clerk of Peace.

That an annual Account, in abstract, be prepared of the total Receipts and Expenditure of all funds levied under such Bill for the past year, under the several distinct heads of Receipts and Expenditure, with a Statement of the Balance of the said Account duly audited and certified by the Chairman of the Commissioners, Directors, Trustees or other parties aforesaid, and also by the Auditors thereof; and that a copy of such annual Account be transmitted, free of charge, to the Clerk of the Peace (or in Scotland to the Sheriff Clerk) for the County, or to the Clerk of the City or Borough within which the chief Office for the management of such funds shall be situated, on or before the *Thirty-first* day of *January* in each year, under a sufficient Penalty for not preparing and sending in the said Account, to be levied by summary process; the said Account to be open at all seasonable hours to the inspection of the Public upon payment of a Fee.

78.

Level of Roads.

THAT where the level of any Road shall be altered in making any Public Work, the ascent of any Turnpike Road shall not be more than one foot in 30 feet; and of any other public Carriage Road not more than one foot in 20 feet; and that a good and sufficient fence, of four feet high at the least, shall be made on each side of every Bridge which shall be erected.

Fence to Bridge

Committee on the Bill.

79.

Plan, &c., to be signed by Chairman.

That every Plan, and Book of Reference thereto, which shall be produced in evidence before the Committee upon any Private Bill (whether the same shall have been previously lodged in the Private Bill Office, or not,) shall be signed by the Chairman of such Committee with his Name at length; and he shall also mark with the Initials of his Name every Alteration of such Plan and Book of Reference, which shall be agreed upon by the said Committee; and every such Plan and Book of Reference shall thereafter be deposited in the Private Bill Office.

80.

Committee Bill and Clauses to be signed by Chairman.

That the Chairman of the Committee do sign, with his Name at length, a printed Copy of the Bill (to be called the Committee Bill) on which the Amendments are to be fairly written; and also sign, with the Initials of his Name, the several Clauses added in the Committee.

81.

Chairman to report on allegations of Bill, &c.

That the Chairman of the Committee upon every Private Bill shall report to The House, that the Allegations of the Bill have been examined; and whether the Parties concerned have given their Consent (where such Consent is required by the Standing Orders) to the satisfaction of the Committee.

82.

Committee to report Bill in all cases.

That every Committee to whom any Private Bill shall have been referred shall report the Bill to The House, whether such Committee shall or shall not have agreed to the Preamble, or gone through the several Clauses, or any of them; and when any alteration shall have been made in the Preamble of the Bill, such alteration, together with the ground of making it, shall be specially stated in the Report.

83.

Minutes of Committee.

That the Minutes of the Committee on every Private Bill be brought up and laid on the Table of The House, with the Report of the Bill.

Railway Bills.

84.

Restrictions as to Mortgage.

That in the case of a Railway Bill, no Company shall be authorized to raise, by Loan or Mortgage, a larger sum than *One-third* of their capital; and that, until *Fifty per cent.* on the whole of the capital shall have been paid up, it shall not be in the power of the Company to raise any Money by Loan or Mortgage.

85.

That where the level of any road shall be altered in making any Railway, the ascent of any turnpike-road shall not be more than One Foot in Thirty Feet, and of any other public carriage road not more than One Foot in Twenty Feet, unless a report from some Officer of the Railway Department of the Board of Trade shall be laid

Committee on the Bill.

laid before the Committee on the Bill, recommending that steeper ascents than the above may be allowed, with the reasons and facts upon which such opinion is founded, and the Committee shall report in favour of such recommendation: Also, that a good and sufficient fence, of Four Feet high at the least, shall be made on each side of every Bridge which shall be erected.

86.

THAT no Railway whereon carriages are propelled by steam, or by atmospheric agency, or drawn by ropes in connexion with a stationary steam-engine, shall be made across any turnpike-road or other public carriage-way on the level, unless the Committee on the Bill report that such a restriction ought not be enforced, with the reasons and facts upon which their opinion is founded.

87.

THAT in the case of a Railway Bill, the Committee report specially:—

Capital. 1. The proposed Capital of the Company formed for the execution of the project, and the amount of any Loans which they may be empowered to raise by the Bill.

Shares, &c. 2. The amount of Shares subscribed for, and the Deposits paid thereon.

Names, &c., of Directors. 3. The Names and Places of Residence of the Directors or Provisional Committee, with the amount of Shares taken by each.

Local Shareholders. 4. The number of Shareholders who may be considered as having a local interest in the line, and the amount of Capital subscribed for by them.

Other parties, &c. 5. The number of other Parties, and the Capital taken by them.

Subscribers for 2,000*l.* and upwards. 6. The number of Shareholders subscribing for 2,000*l.* and upwards, with their Names and Residences, and the amount for which they have subscribed.

Present means of conveyance. 7. The sufficiency or insufficiency for Agricultural, Commercial, Manufacturing or other purposes, of the present means of conveyance, and of communication between the proposed termini, stating the present amount of traffic by land or water, the average charges made for Passengers and Goods, and time occupied.

Passengers, &c., expected. 8. The number of Passengers, and the weight and description of the Goods expected upon the proposed Railway.

Income expected. 9. The amount of Income expected to arise from the conveyance of Passengers and Goods, and in what proportion; stating also generally the description of Goods from which the largest revenue is anticipated.

Whether Railway be a complete Line, or part of a more extended Plan. 10. Whether the proposed Railway be a complete and integral line between the termini specified, or a part of a more extended plan now in contemplation, and likely to be hereafter submitted to Parliament, and to what extent the calculations of remuneration depend on such contemplated extension of the line.

Whether Report from Board of 11. Whether any Report from the Board of Trade in regard to the Bill, or the objects thereby proposed to be authorized,

Trade has been referred to Committee, &c.

has been referred by the House to the Committee, and if so, whether any and what recommendations contained in such Report have been adopted by the Committee, and whether any and what recommendations contained in such Report have been rejected; and, in case the Line or Lines be stated in such Report to be a Competing Line or Competing Lines, the reasons which have induced the Committee to recommend the adoption or rejection of such Competing Lines or either of them.

Assistant Engines.

12. What planes on the Railway are proposed to be worked, either by assistant engines, stationary or locomotive, with the respective lengths and inclinations of such planes.

Engineering difficulties.

13. Any peculiar engineering difficulties in the proposed line, and the manner in which it is intended they should be overcome.

Ventilation of Tunnels.

14. The length, breadth, and height, and means of ventilation, of any proposed tunnels, and whether the strata through which they are to pass are favourable or otherwise.

Gradients and Curves.

15. Whether in the lines proposed, the gradients and curves are generally favourable or otherwise, and the steepest gradient, exclusive of the inclined planes above referred to, and the smallest radius of a curve.

Length of Line.

16. The length of the main line of the proposed Railway, and of its branches respectively.

Passing Highways on a level.

17. Whether it be intended that the Railway should pass on a level any Turnpike Road or Highway, and if so, to call the particular attention of The House to that circumstance.

Estimates.

18. The amount of the Estimates of the cost or other expenses to be incurred up to the time of the completion of the Railway, and whether they appear to be supported by evidence, and to be fully adequate for the purpose.

Annual Expenses.

19. The estimated charge of the Annual Expenses of the Railway when completed, and how far the calculations on which the charge is estimated have been sufficiently proved.

Revenue in reference to annual charge.

20. Whether the calculations proved in evidence before the Committee have satisfactorily established that the Revenue is likely to be sufficient to support the Annual Charges of the maintenance of the Railway, and still allow profit to the Projectors.

Assents.

21. The number of assents, dissents and neuters upon the line, and the length and amount of Property belonging to each class traversed by the said Railway, distinguishing Owners from Occupiers; and in the case of any Bill to vary the original Line, the above particulars with reference to such Parties only as may be affected by the proposed deviation.

Engineers examined.

22. The Name of each Engineer examined in support of the Bill, and of any examined in opposition to it.

Petitions in opposition.

23. The main allegations of every Petition which may have been referred to the Committee in opposition to the Preamble of the Bill, or to any of its Clauses; and whether the allegations have been considered by the Committee, and if not considered, the cause of their not having been so.

Fitness in an engineering point of view, and any other circumstances.

And the Committee shall also report generally as to the fitness, in an engineering point of view, of the projected line of Railway, and

Committee on the Bill.

and any circumstances which, in the opinion of the Committee, it is desirable The House should be informed of.

88.

Resolved, That in all Railway Bills there be inserted the following Clauses:

Railway not to be proceeded with till certain Plans, &c., deposited.

And be it further Enacted, That it shall not be lawful for the said Company to proceed in the execution of the said Railway hereinbefore authorized to be made, unless the said Company shall have, previously to the commencement of such work, deposited with the Clerk of the Peace of the several counties in England or Ireland, and in the Office of the Principal Sheriff Clerk in every county in Scotland, in or through which the said Railway hereby authorized to be made is intended to pass, a Plan and Section of all such alterations from the original Plan and Section as shall have been approved of by Parliament, on the same scale, and containing the same particulars as the original Plan and Section of the Railway; and also with the Clerks of the several parishes in England, the Schoolmasters of the several parishes in Scotland (or in Royal Burghs with the Town Clerk), and the Postmasters of the post towns in or nearest to such parishes in Ireland, in or through which such alterations shall have been authorized to be made, copies or extracts of or from such Plans and Sections as shall relate to such parishes respectively, and all persons interested shall have liberty to inspect and make extracts from or copies of the said Plans and Sections, or extracts or copies thereof, paying to the Officer having the custody of such Plan and Section, or of such extract or copy, the sum of One Shilling for every such inspection, and after the rate of Sixpence for every One hundred words copied therefrom.

Limiting Deviations from Datum Line.

And be it further Enacted, That in making the said Railway it shall not be lawful for the said Company to deviate from the levels of the said Railway, as referred to the common Datum Line described in the Section so approved of by Parliament, and as marked on the same, to any extent exceeding in any place Five Feet, or in passing through towns Two Feet, without the consent of the owners, lessees and occupiers of the land in, through or over which such deviation is intended to be made; or in case any street or public carriage road shall be affected by such deviation, then the same shall not be made without the consent of the Trustees or Commissioners, or if there be no such Trustees or Commissioners, without the consent of Two or more Justices of the Peace in Petty Sessions assembled for that purpose, and acting for the district in which such street or public carriage road may be situated, or without the consent of the Commissioners for any Public Sewers, or the proprietors of any Canal or Navigation affected by such deviation: Provided always, That it shall be lawful for the Company to deviate from the said levels to a further extent without such consent as aforesaid, by lowering solid embankments or viaducts, provided that the requisite height of headway prescribed by Act of Parliament be left for roads, streets or canals passing under the same.

Arches and Viaducts as marked on Plan and Section to be made, &c

And be it further Enacted, That where in any place it is intended to carry the Railway on an arch or arches, or other viaduct, as marked on the said Plan or Section, the same shall be made accordingly; and where a tunnel is marked on the said

Committee on the Bill.

Plan or Section as intended to be made at any place, the same shall be made accordingly, unless the owners, lessees and occupiers of the land in or through which such tunnel is intended to be made shall consent that the same shall not be so made: Provided always, That notice of every Petty Sessions to be holden for the purpose of obtaining such consent, as is hereinbefore required, shall, Fourteen Days' previous to the holding of such Petty Sessions, be given in some newspaper circulating in the county, and also be affixed upon the church door of the parish in which such deviation or alteration is intended to be made, or if there be no church, some other place to which notices are usually affixed; and provided also, That, for the purpose of consenting to any deviations from the said Sections, and to any tunnelling or arching as aforesaid, the word "owners" shall be deemed and taken to mean such persons as are herein capacitated to agree for the sale of, and to convey land for the making of the said Railway; and the consent of such persons, with or without the consent of any other persons interested as owners in the said lands, shall be deemed and taken to be sufficient for such purposes.

Limiting Deviations from Gradients, Curves Tunnels, &c.

And be it further Enacted, That it shall not be lawful for the said Company to deviate from or alter the gradients, curves, tunnels or other engineering works described in the said Plan or Section, except within the following limits, and under the following conditions, viz.:

Subject to the above provisions in regard to altering levels, it shall be lawful for the Company to diminish the inclination or gradients of the said Railway to any extent, and to increase the said inclination or gradients as follows; (that is to say) in gradients of an inclination not exceeding one in a hundred to any extent not exceeding Ten Feet per mile, or to any further extent which shall be certified by the Lords of the Committee of Privy Council for Trade to be consistent with public safety, and not prejudicial to public interests; and in gradients of or exceeding the inclination of one in a hundred to any extent not exceeding Three Feet per mile, or to any further extent which shall be so certified by the Lords of the said Committee as aforesaid:

It shall be lawful for the Company to diminish the radius of any curve described in the said Plan, to any extent which shall leave a radius of not less than half a mile, or to any further extent authorized by such certificate as aforesaid, from the Lords of the said Committee:

It shall be lawful for the Company to make a tunnel, not marked on the said Plan or Section instead of a cutting, or a viaduct instead of a solid embankment, if authorized by such certificate as aforesaid from the Lords of the said Committee.

Letters Patent.

89.

Copy of Letters Patent to be annexed to the Bill.

That when any Bill shall be brought into The House, for confirming of Letters Patent, there be a true Copy of such Letters Patent annexed to the Bill.

Inclosure

Committee on the Bill.

Inclosure and Drainage Bills.

90.

Notices and Allegations.

THAT in the case of any Bill for inclosing Lands, the Committee may admit proof of the Notices required by the Standing Orders, and of the Allegations in the Preamble of such Bill, by Affidavit taken and authenticated, according to the form prescribed in the Schedule to the General Inclosure Act (41 GEO. III. c. 109,) unless such Committee shall otherwise order.

Gen. Inc. Act.

91.

Consent Bill and Statement of Property to be delivered in.

THAT the Committee on every Bill for inclosing Lands shall in the first place require the Agent for the same to deliver in to the Committee a printed copy of the Bill, signed by the Lord of the Manor, (in cases where the Lord of the Manor has any interest as such in the lands to be inclosed) and by such Owners of Property within the Parish to which the Bill relates as shall have assented thereto; but that the Parties, if they shall think fit, be permitted to deliver in different copies of the Bill, separately signed by the several Parties hereinbefore mentioned, instead of one copy, signed by all of them collectively; together with a List of all the Owners of Property within such Parish, showing the value according to the Poor Rate or Land Tax Assessment of each Owner's Property therein, and distinguishing which of them have assented, dissented, or are neuter in respect thereto.

92.

Consent Bill and Statement of Property to be delivered in.

THAT the Committee on every Bill for draining Lands shall in the first place require the Agent for the same to deliver in to the Committee a printed copy of the Bill, signed by such Owners and Occupiers of Property within the Parish to which the Bill relates as shall have assented thereto; but that the Parties, if they shall think fit, be permitted to deliver in different copies of the Bill, separately signed by the several Parties hereinbefore mentioned, instead of one copy, signed by all of them collectively; together with a List of all the Owners of Property within such Parish, showing the value according to the Poor Rate or Land Tax Assessment of each Owner's Property therein, and distinguishing which of them have assented, dissented, or are neuter in respect thereto.

93.

Clause for leaving open Space for exercise and recreation.

THAT in every Bill for inclosing Lands, provision be made for leaving an open space in the most appropriate situation, sufficient for purposes of exercise and recreation of the neighbouring population; and that the Committee on the Bill have before them the number of acres proposed to be inclosed, as also of the population in the parishes or places in which the land to be inclosed is situate; and also do see that provision is made for the efficient fencing of the allotment, for the investment of the same in the Churchwardens and Overseers of the parish in which such open space is reserved, and for the efficient making and permanent maintenance of the fences by such parish; and that in any case where the information hereby required is not given, and the required provisions are not made in the Bill, the Committee on the same do report specially to The House the reasons for not complying with such Order.

94.

Consent Bill to contain Names of Commissioners, and Compensations for Manorial Rights, Tithes, and Enfranchisements

THAT in every Bill for inclosing Lands, the Names of the Commissioners proposed to be appointed, and the Compensation intended for the Lord of the Manor, and the Owners of Tithes, in lieu of their respective Rights, and also the Compensation intended to be made for the enfranchisement of Copyholds, where any Bargains or Agreements have been made for such Compensations, be inserted in the copy of the Bill presented to The House: And that all copies of such Bills which shall be sent to any of the Persons interested in the said Manor, Tithes, Lands or Commons, for their Consent, do contain the Names of such proposed Commissioners, and also the Compensations so bargained or agreed for.

95.

Disqualification of certain Persons as Commissioners, Surveyors, &c.

THAT no Person shall be named in any Bill for inclosing Lands as a Commissioner, Umpire, Surveyor or Valuer, who shall be interested in the Inclosure to be made by virtue of such Bill; or the Agent ordinarily intrusted with the care, superintendence, or management of the Estate of any Person so interested.

96.

Clauses for settling Pay of Commissioners, and passing their Accounts.

THAT in every Bill for inclosing, draining or improving Lands there be inserted a Clause, providing what sum of Money in the whole, or by the day, shall be paid to each of the Commissioners to be appointed by such Bill, in satisfaction of the expense and trouble which he shall incur in the execution of the powers thereby given; and that there be also inserted in such Bill a Clause, providing that the Account of such Commissioner or Commissioners, containing a true statement of all Sums by him or them received and expended or due to him or them for their own trouble or expenses, shall, at least once in every year, from the date of the passing of the Act till such Accounts shall be finally allowed, together with the Vouchers relating to the same, be examined by some Person or Persons to be appointed by the Bill, and the Balance by him or them stated in the Book of Accounts required to be kept in the Office of the Clerk of such Commissioners; and that no charge or item in such Accounts shall be binding on the Parties concerned, or be valid in law, unless the same shall be duly allowed by such Person or Persons.

Turnpike Roads (Ireland).

97.

Clause for Qualification of Commissioners.

THAT in every Bill for making a Turnpike Road in Ireland, or for the continuing or amending any Act passed for that purpose, or for the increase or alteration of the existing Tolls, Rates or Duties upon any such Road, or for widening or diverting any such Road, a Clause be inserted, to prevent any Person who shall be nominated a Commissioner, from acting or voting in the business of the said Turnpike, unless he shall be possessed of an Estate in Land, or of a Personal Estate, to such certain value as shall be specified in such Bills; and that such Qualification be extended to the Heirs apparent of Persons possessed of an Estate in Land to a certain value to be specified.

DUTY OF SELECT COMMITTEE ON DIVORCE BILLS.

98.

THAT the Select Committee on Divorce Bills shall require evidence to be given before them that an action for damages has been brought in one of Her Majesty's Courts of Record at Westminster, or in one of Her Majesty's Courts of Record in Dublin, or in one of Her Majesty's Supreme Courts of Judicature of the Presidencies of Calcutta, Madras, Bombay or the Island of Ceylon, respectively, against the persons supposed to have been guilty of Adultery, and judgment for the plaintiff had thereupon; or sufficient cause to be shown to the satisfaction of the said Committee why such action was not brought, or such judgment was not obtained.

What Evidence to be given in Divorce Cases.

99.

THAT the Select Committee on Divorce Bills shall, in all cases in which the Petitioner for the Bill has attended the House of Lords upon the Second Reading of the Bill, require him to attend before them to answer any questions they may think fit that he should answer.

When Petitioner for Bill to attend Committee.

100.

THAT the Select Committee on Divorce Bills shall report every such Bill to The House, whether such Committee shall or shall not have agreed to the Preamble, or gone through the several Clauses, or any of them.

Committee to report Bill in all cases.

III.

THE ORDERS REGULATING THE PRACTICE OF THE HOUSE WITH REGARD TO PRIVATE BILLS.

Practice of the House.

PRACTICE OF THE HOUSE WITH REGARD TO PRIVATE BILLS.

101.

That no Private Bill be brought into this House, but upon a Petition first presented, with a printed copy of the proposed Bill annexed: And that such Petition be signed by the Parties, or some of them, who are Suitors for the Bill.

Petition for Bill, and how to be signed.

102.

That all Petitions for Private Bills be presented within *Twenty-one* days after the *First Friday* in every Session of Parliament.

Petitions, when to be presented.

103.

That all Petitions for Private Bills, with their annexed Bills, and all Petitions for additional Provision in Private Bills, with the proposed Clauses annexed, and all Estate Bills brought from the House of Lords, after having been read a First Time, shall be referred to the Select Committee on Petitions for Private Bills.

Petitions for Private Bills, &c. and Lords' Bills to be referred to Committee on Petitions.

104.

That there be *Ten* clear days between the day on which the Petition for any Private Bill relating to *England* shall be presented, and the day on which the Sub-Committee shall sit thereupon; and *Fifteen* days, in case such Bill shall relate to *Scotland* or *Ireland*.

Time between presentation of Petition and Meeting of Sub-Committee.

105.

That all Reports of the Select Committee on Petitions for Private Bills, in which they shall report that the Standing Orders have not been complied with, be referred to the Select Committee on Standing Orders.

Reports that Standing Orders have not been complied with, to be referred to Committee on Standing Orders.

106.

That all Petitions for leave to dispense with any of the Sessional Orders of The House relating to Private Bills, be referred to the Select Committee on Standing Orders.

Petitions for leave, &c. to be referred to Committee on Standing Orders.

107.

That every Private Bill, printed on paper, of a size to be determined upon by Mr. Speaker, be presented to The House, with a Cover of Parchment attached to it, upon which the Title of the Bill is to be written; and the short Title of the Bill, as first entered on the Votes, shall be in accordance with the subject matter of the Bill, and shall not be changed unless by special order of The House.

Printed Bill to be presented.

108.

That the proposed amount of all Rates, Tolls, and other matters heretofore left blank in any Private Bill when presented to The House, be inserted in *Italics* in the printed Bill.

Rates, Tolls and other Matters to be inserted in *Italics*.

109.

What Bills to be printed, and when.

THAT every Private Bill (except Name and Naturalization Bills) be printed; and printed copies thereof delivered to the door-keepers for the use of the Members before the First Reading.

110.

Time between First and Second Reading.

THAT there be *Three* clear *days* between the First and Second Reading of every Private Bill.

111.

No Petition complaining of Standing Orders—subsequent to Second Reading of Bills.

THAT this House will not receive any Petition complaining solely of a non-compliance with the Standing Orders of The House in respect of any Private Bill, subsequently to the Second Reading of such Bill, unless in the case of those Standing Orders which must necessarily be taken into consideration by the Committee on the Bill.

112.

Second Reading not to take place till Two Months after last Notice.

THAT no Private Bill be read a *Second* time, until after the expiration of *Two calendar months* from the day the last Notice shall have been given in the Newspaper.

113.

Breviate to be prepared.

THAT a Breviate of every Private Bill (except Divorce, Name, Naturalization, and Estate Bills, brought from the House of Lords, and not relating to Crown, Church or Corporation Property, or Property held in trust for public or charitable purposes) be prepared under the direction of Mr. Speaker, and that such Breviate shall contain a Statement of the Object of the Bill and a Summary of the proposed Enactments, and shall state any variation from the general law which will be effected by the Bill.

114.

Breviate to be laid on Table Three days before Second Reading of Bill.

THAT no Private Bill be read a *Second* time until *Three* clear *days* after the Breviate thereof shall have been laid on the Table of The House, and have been printed.

115.

When Fees to be paid.

THAT no Private Bill, or Clause, for the particular interest or benefit of any Person or Persons, County or Counties, Corporation or Corporations, or Body or Bodies of People, be read a Second time, unless Fees be paid for the same.

116.

Bills referred to Committee of Selection.

THAT every Private Bill, not being a Divorce Bill, after having been read a Second time and committed, shall be referred to the Committee of Selection; and every Divorce Bill shall be referred to the Select Committee on Divorce Bills.

117.

Time between Second Reading and Committee.

THAT there be *Seven* clear *days* between the Second Reading of every Private Bill, and the sitting of the Committee thereupon.

117 *a*.

THAT in the case of Railway Bills, if any Report made under the authority of the Board of Trade upon any Bill, or the objects thereof, be laid before the House, such Report shall be referred to the Committee on the Bill.

Practice of the House.

118.

THAT the Report upon every Private Bill ordered to be printed as amended in Committee, shall lie upon the Table.

Report of Bill when printed as amended, to lie on Table.

119.

THAT a Breviate of the amendments made in every Committee on a Private Bill be submitted to the Chairman of the Committee of Ways and Means, and also laid upon the Table of The House at least the day previous to the consideration of the Report of such Bill.

Breviates of Bills amended in Committee to be laid before Chairman of Ways and Means, &c.

120.

THAT every Private Bill, as amended in Committee, excepting in the cases wherein the Committee shall report the amendments to be merely verbal or literal, be printed at the expense of the Parties applying for the same; and be delivered to the Doorkeepers for the use of the Members, *Three* clear *days* at least before the consideration of the Report.

Bill to be printed after report.

121.

THAT when any Clause or Amendment is offered upon the Report, or the consideration of the Report, or the Third Reading of any Private Bill, such Clause or Amendment shall be referred to the Select Committee on Standing Orders: That such Clause shall be printed: And when any Clause is proposed to be amended, it shall be printed *in extenso*, with every addition or substitution in different type, and the omissions therefrom included in brackets.

Clauses and Amendments proposed on Report or Third Reading to be referred to Select Committee on Standing Orders.

122.

THAT when any Clause or Amendment upon the Report, or the consideration of the Report, or the Third Reading of any Private Bill, shall have been referred to the Select Committee on Standing Orders, no further proceeding on either of such stages shall be had until the Report of the said Select Committee shall have been brought up.

When referred, no further proceeding to be had until Report of Select Committee on Standing Orders.

123.

THAT in order to afford opportunity for the proper discussion of the *Reports* on *Railway Bills* included in the second class, this House will upon *every Tuesday* proceed to the consideration of Reports on such Bills.

Reports on Railway Bills to be discussed upon every Tuesday.

124.

THAT no Private Bill shall pass through two stages on one and the same day without the special leave of The House.

Bill not to proceed two stages on same day.

125.

THAT (except in cases of urgent and pressing necessity) no motion be made to dispense with any Sessional or Standing Order of The House without due notice thereof.

Notice to be given of motion for dispensation.

IV.

THE ORDERS REGULATING THE PRACTICE IN THE PRIVATE BILL OFFICE.

Practice in the Private Bill Office.

PRIVATE BILL OFFICE.

126.

Private Bill Office and Register.

THAT a Book, to be called "THE PRIVATE BILL REGISTER," be kept in a Room, to be called "THE PRIVATE BILL OFFICE," in which Book shall be entered by the Clerks appointed for the business of that Office, the Name, Description and Place of Residence of the Parliamentary Agent in Town, and of the Agent in the Country (if any) soliciting the Bill; and all the Proceedings, from the Petition to the passing of the Bill:—Such Entry to specify, briefly, each day's Proceeding in The House, or in any Committee to which the Bill or Petition may be referred; the day and hour on which the Committee is appointed to sit; the day and hour to which such Committee may be adjourned, and the name of the Committee Clerk. Such Book to be open to public inspection daily, in the said Office, between the hours of Eleven and Six.

127.

Plans, &c. to be lodged.

THAT all Plans, Sections, Books of Reference, Lists of Owners and Occupiers, Estimates, Copies of the Subscription Contracts, and Declarations required by the Standing Orders of The House, be lodged in the Private Bill Office; and that the receipt thereof be acknowledged accordingly, by one of the Clerks of the said Office, upon the said Documents, and upon the Petition, before it is presented.

128.

Copy of Bill annexed to Petition to be deposited in Private Bill Office.

THAT a copy of every Bill annexed to a Petition be deposited in the Private Bill Office on the day of The Presentation of the Petition to The House; and that such Bill be open to the inspection of all parties.

129.

Notice of Meeting of Sub-Committee on Petition, &c.

THAT *Ten* clear *days'* notice in writing be given by the Agent for the Bill to the Clerks in the Private Bill Office of the meeting of any *Sub-Committee* on a Petition for a Private Bill, and *One* clear *day's* notice of the meeting of any Sub-Committee on a Petition for additional Provision, or on an Estate Bill brought from the House of Lords; and that no such notices respectively be given until after such Petition shall have been presented, or such Estate Bill read a First Time.

130.

Notice of Postponement of Sub-Committee.

THAT *One* clear *day's* notice in writing be given by the Agent for the Bill, to the Clerks in the Private Bill Office, of the postponement of the first meeting of any Sub-Committee on a Petition for a Private Bill, or on a Petition for additional Provision, or on an Estate Bill brought from the House of Lords.

131.

Examination Book.

THAT after each Private Bill has been read the First time, its Name (or short Title) shall be copied by the Clerks of the Private Bill Office, from the Clerk's Minute Book of the day, into a separate Book, to be called "THE EXAMINATION BOOK;"—wherein shall be noted the number of such Bill, according to the priority of its being read, and the date of the day of such First Reading.

132.

Custody of Bills.

THAT every Private Bill, after it has been read the First time and the Title copied and examined for the Votes, be in the custody of the Clerks of the Private Bill Office, until laid upon the Table for the Second Reading; and when committed, be taken by the proper Committee Clerk into his charge, till reported.

133.

Examination of Bill and Breviate.

THAT between the First and Second Reading of every Private Bill, every such Bill shall, according to its priority, be examined, with all practicable despatch, by the Clerks of the Private Bill Office, as to its conformity with the Rules and Standing Orders of The House; and if *not* in due form, the Examining Clerk shall specify thereon the page in which any irregularity occurs, and shall enter the day of such Examination, together with his own Name, in the Examination Book.

134.

Notice of Second Reading.

THAT *Three* clear *days'* Notice in writing be given by the Agent for the Bill, to the Clerks in the Private Bill Office, of the day proposed for the Second Reading of every Private Bill.

135.

Notice of Committee.

THAT *Seven* clear *days'* Notice, and in the case of a re-committed Bill, *Three* clear *days'* Notice, in writing, be given by the Agent for the Bill, to the Clerks in the Private Bill Office, of the day and hour appointed for the meeting of the Committee on every Private Bill; and that all the proceedings of any Committee of which such Notice shall not have been given, be void.

136.

Filled-up Bill, to be deposited in Private Bill Office.

THAT a filled-up Bill, signed by the Agent for the Bill, as proposed to be submitted to the Committee on the Bill, and in the case of a re-committed Bill, a filled-up Bill, as proposed to be submitted to the Committee on re-committal, be deposited in the Private Bill Office one clear day before the meeting of the Committee on every Private Bill; and that all Parties shall be entitled to a Copy thereof, upon payment of the Charges for making out Amendments of such Bill.

137.

Notice of Postponement.

THAT notice, in writing, be given by the Clerk to the Committee of Selection, to the Clerks in the Private Bill Office, of the postponement of the first meeting of any Committee on a Private Bill, on the day on which such postponement is made.

138.

Notice of Adjournment.

THAT Notice, in writing, be given by the Committee Clerk to the Clerks in the Private Bill Office, of the day and hour to which each Committee is adjourned.

139.

Notice of Report and of consideration of Report.

THAT *One* clear *day's* Notice, in writing, be given by the Agent for the Bill, to the Clerks in the Private Bill Office, of the day proposed

proposed for the Report of every Private Bill, and also for the consideration of the Report of every Private Bill ordered to lie upon the Table. Practice in the Private Bill Office.

140.

THAT the Committee Clerk, after the Report is made out, do deliver in to the Private Bill Office a printed Copy of the Bill, with the written Amendments made in the Committee; in which Bill, all the Clauses added by the Committee shall be regularly marked in those parts of the Bill wherein they are to be inserted. Bill as amended in Committee to be delivered in.

141.

THAT when it is intended to bring up any Clause or to propose any Amendment on the Report, or the consideration of the Report, or on the Third Reading of any Private Bill, Notice shall be given thereof, in the Private Bill Office, on the day previous to such Report, or consideration of the Report, or Third Reading. Notice to be given of Clauses, &c. on Report, or on consideration of Report, or Third Reading.

142.

THAT *One* clear *day*'s Notice, in writing, be given by the Agent for the Bill, to the Clerks in the Private Bill Office, of the day proposed for the *Third Reading* of every Private Bill; and that no such Notice be given until after the Bill to which it relates shall have been reported, or the Report thereof considered. Notice of Third Reading.

143.

THAT the Amendments (if any) which are made upon the Report, or consideration of the Report, and on the Third Reading of any Private Bill, and also such Amendments made by the House of Lords as shall have been agreed to by this House, be entered by one of the Clerks in the Private Bill Office, upon the printed Copy of the Bill as amended in Committee; which Clerk shall sign the said Copy so amended, in order to its being deposited and preserved in the said Office. Amendments on Report, or consideration of Report, and Third Reading.

144.

THAT to insure the Accuracy of the Ingrossment of all Private Bills, the Clerk of the House be required to provide a sufficient number of Clerks, to be called EXAMINERS of INGROSSMENTS. Examination of Ingrossments.

145.

THAT no Private Bill be read a Third time until a Certificate is indorsed upon the Paper Bill, and signed by one or more of the Examiners of Ingrossments, declaring that the Ingrossment thereof has been examined, and agrees with the Bill, as amended in Committee, and on the consideration of the Report. Certificate of Examination.

146.

THAT when Amendments made by the House of Lords to any Private Bill sent up to them are to be taken into consideration, Notice be given thereof in the Private Bill Office, the day previous to the same being proposed to be taken into consideration. Notice of consideration of Lords' Amendments.

147.

THAT all *Notices* required to be given in the Private Bill Office be delivered in the said Office before *Six* of the clock Time for delivering Notices.

Practice in the Private Bill Office.

in the *Evening* of any day on which The House shall sit, and before *Two* of the Clock on any day on which The House shall not sit; and that after any day on which The House shall have adjourned, no Notice shall be given for the first day on which it shall again sit.

148.

Daily Lists of Committees sitting.

THAT the Clerks in the Private Bill Office do prepare, daily, Lists of all Private Bills, and Petitions for Private Bills upon which any Committee is appointed to sit; specifying the hour of meeting; and the Room where the Committee shall sit; and that the same be hung up in the Lobby of The House.

149.

Plans to be verified as Mr. Speaker shall direct.

THAT every Plan, and Book of Reference thereto, which shall be certified by The Speaker of the House of Commons, in pursuance of any Act of Parliament, shall previously be ascertained, and verified in such manner as shall be deemed most advisable by The Speaker, to be exactly conformable in all respects to the Plan and Book of Reference which shall have been signed by the Chairman of the Committee upon the Bill.

J. H. Ley
Cl. Dom: Com:
Martis 6° Die Augusti
1844.

APPENDIX.

[Form referred to in Page 15.]

(A.)

No.

Sir,

We beg to inform you, that Application is intended to be made to Parliament in the ensuing Session for "An Act" [*here insert the Title of the Act*], and that the Property mentioned in the annexed Schedule, or some Part thereof, in which we understand you are interested as therein stated, will be required for the Purposes of the said Undertaking, according to the Line thereof as at present laid out, or may be required to be taken under the usual Powers of Deviation to the Extent of Yards on either side of the said Line which will be applied for in the said Act, and will be passed through in the Manner mentioned in such Schedule.

We also beg to inform you, that a Plan and Section of the said Undertaking, with a Book of Reference thereto, has been or will be deposited with the several Clerks of the Peace of the Counties of [*specify the Counties in which the Property is situate*], on or before the 30th of November, and that Copies of so much of the said Plan and Section as relates to the Parish in which your Property is situate, with a Book of Reference thereto, has been or will be deposited for public Inspection with the Clerk of the said Parish, Schoolmaster of the Parish, Town Clerk of the Royal Burgh, or the Postmaster of the Post Town in or near such Parish [*as the case may be*], on or before the 31st day of December instant, on which Plans your Property is designated by the Numbers set forth in the annexed Schedule.

As we are required to report to Parliament whether you assent to or dissent from the proposed Undertaking, or whether you are neuter in respect thereto, you will oblige us by writing your Answer of Assent, Dissent or Neutrality in the Form left herewith, and returning the same to us with your Signature on or before the day of next; and if there should be any Error or Misdescription in the annexed Schedule, we shall feel obliged by your informing us thereof, at your earliest convenience, that we may correct the same without delay.

We are, Sir,

Your most obedient servants,

To

SCHEDULE referred to in the foregoing Notice, and which is intended to show the Property therein alluded to, and the Manner in which the Line of the deposited Section will affect the same.

—	Parish, Township, Townland or Extra-parochial Place.	Number on Plans.	Description.	Owner.	Lessee.	Occupier.	Description of the Section of the Line deposited, and of the greatest Height of Embankment and Depth of Cutting.
Property in the Line as at present laid out.							

—	Parish, Township, Townland, or Extra-parochial Place.	Number on Plans.	Description.	Owner.	Lessee.	Occupier.	
Property within the Limits of the Deviation intended to be applied for.							

Appendix (B.)

ANNO PRIMO VICTORIÆ REGINÆ.

Cap. LXXXIII.

AN ACT to compel Clerks of the Peace for Counties and other Persons to take the Custody of such Documents as shall be directed to be deposited with them under the Standing Orders of either House of Parliament.

WHEREAS the Houses of Parliament are in the habit of requiring that, previous to the introduction of any Bill into Parliament for making certain bridges, turnpike-roads, cuts, canals, reservoirs, acqueducts, waterworks, navigations, tunnels, archways, railways, piers, ports, harbours, ferries, docks and other works, to be made under the authority of Parliament, certain maps or plans and sections, and books and writings, or extracts or copies of or from certain maps, plans or sections, books and writings, shall be deposited in the office of the clerk of the peace for every county, riding or division in England or Ireland, or in the office of the sheriff clerk of every county in Scotland, in which such work is proposed to be made, and also with the parish clerk in every parish in England, the schoolmaster of every parish of Scotland, or in Royal Burghs with the town clerk, and the postmaster of the post town in or nearest to every parish in Ireland, in which such work is intended to be made, and with other persons: And whereas it is expedient that such maps, plans, sections, books, writings and copies or extracts of and from the same, should be received by the said clerks of the peace, sheriff clerks, parish clerks, schoolmasters, town clerks, postmasters and other persons, and should remain in their custody for the purposes hereinafter mentioned; BE it therefore Enacted by The Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, That whenever either of the Houses of Parliament shall by its Standing Orders, already made or hereafter to be made, require that any such maps, plans, sections, books or writings, or extracts or copies of the same, or any of them, shall be deposited as aforesaid, such maps, plans, sections, books, writings, copies and extracts shall be received by and shall remain with the clerks of the peace, sheriff clerks, parish clerks, schoolmasters, town clerks, postmasters and other persons with whom the same shall be directed by such Standing Orders to be deposited, and they are hereby respectively directed to receive and to retain the custody of all such documents and writings so directed to be deposited with them respectively, in the manner and for the purposes and under the rules and regulations concerning the same respectively directed by such Standing Orders, and shall make such memorials and endorsements on and give such acknowledgments and receipts in respect of the same respectively as shall be thereby directed.

Clerks of the Peace, &c. to receive the Documents herein mentioned, and retain them for the purposes directed by the Standing Orders of the Houses of Parliament.

II. And be it further Enacted, That all persons interested shall have liberty to, and the said clerks of the peace, sheriff clerks, parish clerks, schoolmasters, town clerks and postmasters, and every of them, are and is hereby required, at all reasonable hours of the day, to permit all persons interested to inspect during a reasonable time and make extracts from or copies of the said maps, plans, sections, books, writings, extracts and copies of or from the same, so deposited with them respectively, on payment by each person to the clerk of the peace, sheriff clerk, clerk of the parish, schoolmaster, town clerk or postmaster having the custody of any such map, plan, section, book, writing, extract or copy, One Shilling for every such inspection, and the further sum of One Shilling for every hour during which such inspection shall continue after the first hour, and after the rate of Sixpence for every One hundred words copied therefrom.

Clerks of the Peace, &c. to permit such Documents to be inspected or copied by persons interested.

III. And be it further Enacted, That in case any clerk of the peace, sheriff clerk, parish clerk, schoolmaster, town clerk, postmaster or other person, shall in any matter or thing refuse or neglect to comply with any of the provisions hereinbefore contained, every clerk of the peace, sheriff clerk, parish clerk, schoolmaster, town clerk, postmaster or other person shall for every such offence forfeit and pay any sum not exceeding the sum of Five Pounds; and every such penalty shall, upon proof of the offence before any Justice of the Peace for the county within which such offence shall be committed, or by the confession of the party offending, or by the oath of any credible witness, be levied and recovered, together with the costs of the proceedings for the recovery thereof, by distress and sale of the goods and effects of the party offending, by warrant under the hand of such Justice, which warrant such Justice is hereby empowered to grant, and shall be paid to the person or persons making such complaint; and it shall be lawful for any such Justice of the Peace to whom any complaint shall be made of any offence committed against this Act to summon the party complained of before him, and on such summons to hear and determine the matter of such complaint in a summary way, and on proof of the offence to convict the offender, and to adjudge him to pay the penalty or forfeiture incurred, and to proceed to recover the same, although no information in writing or in print shall have been exhibited or taken by or before such Justice; and all such proceedings by summons without information shall be as good, valid and effectual to all intents and purposes as if an information in writing had been exhibited.

Clerks of the Peace, &c. for every omission to comply with the provisions of this Act, liable to the Penalty of 5 *l.*, to be recovered in a summary way.

Appendix.

Appendix (C.)

ANNO PRIMO & SECUNDO VICTORIÆ REGINÆ.

Cap. CXVII.

AN ACT to provide for the Custody of certain Monies paid in pursuance of the Standing Orders of either House of Parliament by Subscribers to Works or Undertakings to be effected under the Authority of Parliament.

WHEREAS it is expedient to provide for the custody of any sums of money paid in pursuance of any Standing Order of the Lords Spiritual and Temporal in Parliament assembled, or of the Commons in Parliament assembled, by subscribers to works or undertakings to be made under the authority of an Act of Parliament; BE it therefore Enacted by The Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, That in all cases in which any sum of money is required by any Standing Order of either House of Parliament, either now or hereafter to be in force, to be paid by the subscribers to any work or undertaking which is to be executed under the authority of an Act of Parliament, if the director or person or directors or persons having the management of the affairs of any such proposed work or undertaking, or any Five of them, shall apply to the Chairman of the Committees of the House of Lords with respect to any such money required by any Standing Order of the Lords Spiritual and Temporal in Parliament assembled, or to The Speaker of the House of Commons with respect to any such money required by any Standing Order of the Commons in Parliament assembled, the said Chairman or the said Speaker may, by warrant or order under his hand, direct that such sum of money shall be paid in manner hereinafter mentioned; that is to say, into the Bank of England in the name and with the privity of the Accountant-general of the Court of Exchequer in England, if the work or undertaking in respect of which the sum of money is required to be paid is intended to be executed in that part of the United Kingdom called England; or into the Bank of England in the name and with the privity of the said Accountant-general, or into any of the Banks in Scotland established by Act of Parliament or Royal Charter in the name and with the privity of The Queen's Remembrancer of the Court of Exchequer in Scotland, at the option of the person or persons making such application as aforesaid, in case such work or undertaking is intended to be executed in that part of the United Kingdom called Scotland; or into the Bank of Ireland in the name and with the privity of the Accountant-general of the Court of Chancery in Ireland, in case such work or undertaking is intended to be made or executed in that part of the United Kingdom called Ireland; and every such application as aforesaid to the said Chairman or Speaker shall be made in writing, and be signed by the director or directors or person or persons having the management of the said work or undertaking, or by any Five of them; and therein shall be stated the name or description of such work or undertaking, and name and place of abode or the names and places of abode of such director or directors, person or persons, and the sum of money required to be paid, and the bank and name into and in which the same is to be paid; and such particulars shall also be set forth in every such warrant or order; and such warrant or order shall be a sufficient authority for the Accountant-general of the said Court of Exchequer in England, the Queen's Remembrancer of the Court of Exchequer in Scotland, and the Accountant-general of the Court of Chancery in Ireland respectively, to permit the sum of money directed to be paid by such warrant or order to be placed to an account opened or to be opened in his name in the Bank mentioned in such warrant or order.

Authority to deposit.

Payment of Deposit.

II. And be it Enacted, That it shall be lawful for the person or persons named in such warrant or order, or the survivors or survivor of them, or any Five of them, to pay the sum of money mentioned in such warrant or order into the Bank mentioned in such warrant or order in the name and with the privity of the officer or person in whose name such sum shall be directed to be paid by such warrant or order, to be placed to his account there ex-parte the work or undertaking mentioned in such warrant or order; and every such sum so paid in, or the securities in or upon which the same may be invested as hereinafter mentioned, shall there remain until the same or such securities as aforesaid shall be paid out of such Bank in pursuance of the provisions of this Act: Provided always, That every sum paid into the Bank of England in the name and with the privity of the Accountant-general of the Court of Exchequer under the provisions of this Act, shall be paid in and placed to his account there pursuant to the method prescribed by an Act passed in the first year of the reign of his late Majesty King George the Fourth, intituled, "An Act for the better securing Money and Effects paid into the Court of Exchequer at Westminster on account of the Suitors of the said Court, and for the Appointment of an Accountant-general and Two Masters of the said Court, and for other Purposes, and pursuant to the General Orders of the said Court, and without Fee or Reward;" and every sum paid into the Bank of Ireland in the name and with the privity of the Accountant-general of the Court of Chancery in Ireland, under the provisions of this Act, shall

1 G. 4. c. 35.

shall be paid in and placed to his account pursuant to the method prescribed by an Act made and passed in the Parliament of Ireland in the twenty-third and twenty-fourth years of the reign of his late Majesty King GEORGE the Third, intituled, "An Act for the better securing the Monies and Effects of the Suitors of the Court of Chancery and Exchequer, by depositing the same in the National Bank, and to prevent the forging and counterfeiting any Draft, Order or other Voucher for the payment or Delivery of such Money and Effects, and for other Purposes," and pursuant to the general orders of the said Court, and without fee or reward. 23 & 24 G. 3. (I.)

Investment of Deposit.

III. And be it Enacted, That if the person or persons named in such warrant or order, or the survivor or survivors of them, or any Five of them, desire to have invested any sum so paid into the Bank of England or the Bank of Ireland, the court in the name of whose Accountant-general the same may have been paid, on a petition presented to such court in a summary way by him or them, may order that such sum shall, until the same be paid out of court in pursuance of this Act, be laid out in the Three per Centum Consolidated or Three per Centum Reduced Bank Annuities, or any Government security or securities.

Repayment of Deposit.

IV. And be it Enacted, That on the termination of the Session of Parliament in which the Petition or Bill for the purpose of making or sanctioning any such work or undertaking shall have been introduced into Parliament, or if such Petition or Bill shall be rejected or finally withdrawn by some proceeding in either House of Parliament, or shall not be allowed to proceed, or if an Act be passed authorizing the making of such work or undertaking; and if in any or either of the foregoing cases the person or persons named in such warrant or order, or the survivor or survivors of them, or the majority of such persons, apply by petition to the court in the name of whose Accountant-general the sum of money mentioned in such warrant or order shall have been paid, or to the Court of Exchequer in Scotland in case such sum of money shall have been paid in the name of the said Queen's Remembrancer, the court in the name of whose Accountant-general or Queen's Remembrancer such sum of money shall have been paid shall, by order, direct the sum of money paid in pursuance of such warrant or order, or the stocks, funds or securities in or upon which the same are invested, and the interest or dividends thereof, to be transferred and paid to the party or parties so applying, or to any other person or persons whom they may appoint in that behalf; but no such order shall be made in the case of any such Petition or Bill being rejected, or not being allowed to proceed, or withdrawn, unless it be proved by the certificate of the Chairman of Committees, if the said Petition or Bill was rejected or not allowed to proceed, or withdrawn in its passage through the House of Lords, or of the said Speaker, if the said Petition or Bill was rejected or not allowed to proceed, or withdrawn during its passage through the House of Commons, that the Petition or Bill has been either so rejected, or not allowed to proceed, or so withdrawn by some proceeding in one or other House of Parliament; which certificate the said Chairman or Speaker shall grant on the application in writing of the person or persons, or the majority of the persons, named in such warrant or order, or the survivor or survivors of them; and every such certificate shall be conclusive proof of such rejection, or not proceeding, or withdrawal.

STANDING ORDERS relative to PUBLIC MATTERS.

I.—Bills respecting Religion.

Religion.

THAT no Bill relating to Religion, or the alteration of the Laws concerning Religion, be brought into this House, until the Proposition shall have been first considered in a Committee of the whole House, and agreed unto by The House.

II.—Bills respecting Trade.

Trade.

THAT no Bill relating to Trade, or the alteration of the Laws concerning Trade, be brought into The House, until the Proposition shall have been first considered in a Committee of the whole House, and agreed unto by The House.

III.—Applications for Public Money.

Public Money.

1.—THAT this House will receive no Petition for any Sum of Money, relating to Public Service, but what is recommended from The Crown.

2.—That this House will not proceed upon any Petition, Motion or Bill, for granting any Money, or for releasing or compounding any Sum of Money owing to The Crown, but in a Committee of the whole House.

3.—That this House will not receive any Petition for compounding any Sum of Money owing to The Crown, upon any branch of the Revenue, without a Certificate from the proper Officer or Officers annexed to the said Petition, stating the Debt, what Prosecutions have been made for the Recovery of such Debt, and setting forth how much the Petitioner and his Security are able to satisfy thereof.

4.—That this House will not proceed upon any Motion for an Address to The Crown, praying that any money may be issued, or that any expense may be incurred, but in a Committee of the whole House.

Relaxation of Privilege of The House, so far as relates to Pecuniary Penalties for Offences.

5.—That in any Bill which, having passed the House of Lords, shall be sent down to this House for their concurrence, or in any Bill which, having passed this House, shall be returned by the Lords with Amendments, it shall appear that any Pecuniary Penalty or Forfeiture is thereby imposed, varied or taken away, The Speaker shall, before the Second Reading of such Bill or Amendments, report to The House his Opinion, whether the object thereof be to impose, vary, or take away any Pecuniary Charge or Burthen on the Subject, or whether the same relates only to the punishment or prevention of Offences; and The House shall thereupon determine whether it may be expedient, in such particular case, to insis upon the exercise of their Privilege to originate all such provisions respecting pecuniary Penalties or Forfeitures.

IV.—Temporary Laws.

Temporary Laws.

THAT the precise duration of every Temporary Law be expressed in the Title of the Bill, and also in a distinct Clause at the end of the Bill, and no where else.

PRESENTATION of PUBLIC PETITIONS.

1.

THAT every Member offering to present a Petition to The House, not being a Petition for a Private Bill, or relating to a Private Bill before The House, do confine himself to a statement of the Parties from whom it comes, of the number of signatures attached to it, and of the material allegations contained in it, and to the reading of the prayer of such Petition.

2.

THAT every such Petition not containing matter in breach of the Privileges of this House, and which, according to the Rules or usual Practice of this House, can be received, be brought to the Table by the direction of The Speaker, who shall not allow any Debate, or any Member to speak upon, or in relation to, such Petition ; but it may be read by the Clerk at the Table, if required.

3.

THAT if such Petition relate to any matter or subject which the Member presenting it is desirous of bringing before The House, and if such Member shall state it to be his intention to make a Motion thereupon, such Member may give Notice that he will make a Motion on some subsequent day, That the Petition be printed with the Votes.

4.

THAT, in the case of such Petition complaining of some present personal grievance, for which there may be an urgent necessity for providing an immediate remedy, the matter contained in such Petition may be brought into discussion on the presentation thereof.

5.

THAT all other such Petitions, after they shall have been ordered to lie on the Table, be referred to the Committee on Public Petitions, without any Question being put.

6.

THAT, subject to the above regulations, Petitions against any Resolution or Bill imposing a Tax or Duty for the current service of the year, be henceforth received, and the usage under which The House has refused to entertain such Petitions be discontinued.

PROMULGATION of STATUTES.

ON 3d *June* 1801, an Address was agreed to, by both Houses;—To present to His Majesty the following RESOLUTIONS; and to entreat His Majesty to give Directions for the more speedy and general Promulgation of the Statutes of the Realm:—And on 9th *June* 1801, His Majesty's Answer thereto was reported, That His Majesty would give Directions accordingly.

1.

THAT it is expedient, for the more speedy and general Promulgation of the Laws of the United Kingdom of *Great Britain* and *Ireland*, that His Majesty's Printer should be authorized and directed to print not less than 5,500 Copies of every Public General Statute, and 306 Copies of every Public Local and Personal Statute.

2.

THAT His Majesty's Printer should be authorized and directed to print and deliver, or transmit (by the Post, or otherwise,) so soon as possible after each Bill has received the Royal Assent, the aforesaid number of 5,500 Copies of each Public General Statute.

3.

THAT His Majesty's Printer should be authorized and directed to print, and deliver or transmit in like manner, the aforesaid 306 Copies of each Public Local and Personal Statute.

4.

THAT every Chief Magistrate and Head Officer of any City, Borough or Town Corporate in *England* and *Ireland*, and of every Royal Burgh in *Scotland*, and every Sheriff, Clerk of the Peace, and Town Clerk, in the United Kingdom of *Great Britain* and *Ireland*, receiving any such Copies, should preserve them for the public Use, and transmit them to his Successor in office.

5.

THAT for the purpose of effectuating the Promulgation of Private Statutes (if the Parties interested therein shall think proper) and also for making compensation to the Clerk of the Parliaments and Officers of the House of Lords (in lieu of their annual average emoluments arising from the Office Copies of such Statutes) without bringing any new charge upon the Public, the Parties interested in every such Statute should make good such expense and compensation; "and that thereupon such printed Copies of every such Statute should be made judicially admissible in evidence, by adding thereto a Clause declaring the same to be a Public Act."

6.

THAT His Majesty's Printer should also be authorized and directed to class the General Statutes, and the Public Local and Personal Statutes of each Session, in separate Volumes, and to number the Chapters of each class separately; and also, to print One general Title to each Volume together with a general Table of all the Acts passed in that Session.

In Session 1803, it was resolved by both Houses of Parliament,

That so much of the 5th Resolution of the Lords and Commons, of the Session 1801, as provided that printed copies of Private Statutes shall be made judicially admissible in evidence by adding thereto a Clause declaring the same to be a public Act, shall be vacated;

That so much of the Resolutions of the Lords and Commons, of Session 1801, as relates to the printing and distribution of Private Acts of Parliament, shall be construed to extend only to such Acts of Parliament in which a Clause shall be inserted, declaring that such Act shall be printed by the Printer to the King's Most Excellent Majesty, and may be given in evidence in all Courts of Justice, and before all Judges and Justices, who shall take judicial notice thereof, in like manner as if the same had been declared to be a Public Act. Com. Jour. 58. 273. 281.

By 41 Geo. III. c. 90. s. 9. it was enacted,

That the Statutes of *England* and of *Great Britain*, printed and published by the King's Printer, shall be received as evidence in any Court in *Ireland*, and the Statutes of *Ireland* prior to the Union, so printed and published, shall be received as evidence in any Court in *Great Britain*.

REPORT

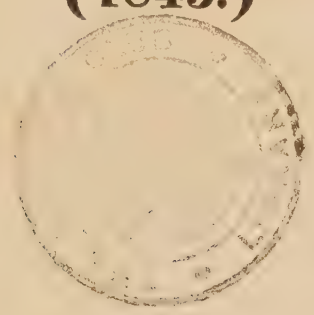
FROM THE

SELECT COMMITTEE

ON

STANDING ORDERS REVISION.

(1845.)



Ordered, by The House of Commons, *to be Printed,*
25 *July* 1845.

570.

Veneris, 11° *die Julii*, 1845.

Ordered, THAT a Select Committee be appointed "to consider whether any and what alterations in the Standing Orders of the House, respecting Private Bills, the experience of the present Session may show to be desirable."

And a Committee is appointed of—

Lord Granville Somerset.	Mr. Aglionby.
Mr. Estcourt.	Mr. Ewart.
Sir George Grey.	Sir R. Ferguson.
Sir George Clerk.	Mr. Pendarves.
Mr. Labouchere.	Mr. Loch.
Mr. Greene.	Mr. Pakington.
Sir John Yarde Buller.	Mr. Pringle.
Mr. Wilson Patten.	

Ordered, That the Committee have power to send for Persons, Papers and Records; and that Five be the Quorum of the Committee.

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PROCEEDINGS OF THE COMMITTEE - - - - p. 4
MINUTES OF EVIDENCE - - - - - - - - p. 7
STANDING ORDERS - - - - - - - - - p. 31

REPORT.

THE SELECT COMMITTEE appointed to consider whether any and what Alterations in the STANDING ORDERS of The HOUSE, respecting PRIVATE BILLS, the Experience of the present Session may show to be desirable; and who were empowered to report the MINUTES of EVIDENCE taken before them to The HOUSE;—

HAVE considered the matters to them referred, and have made several Amendments to the Standing Orders, which they beg leave to report to The House.

25 *July* 1845.

PROCEEDINGS OF THE COMMITTEE.

Veneris, 18° *die Julii*, 1845.

PRESENT:

Lord Granville Somerset.	Mr. Pringle.
Mr. Estcourt.	Sir R. Ferguson.
Mr. Ewart.	

Right honourable Lord GRANVILLE SOMERSET called to the Chair.

Committee deliberate on their course of proceeding.

Mr. Booth, Mr. Burke, Mr. Ellicombe and Mr. Richardson, ordered to attend on Monday next.

[Adjourned till Monday 21st, at One o'clock.

Lunæ, 21° *die Julii*, 1845.

PRESENT:

Right honourable Lord GRANVILLE SOMERSET, in the Chair.

Sir R. Ferguson.	Mr. Pringle.
Sir George Clerk.	Mr. Estcourt.
Mr. Pakington.	Mr. Loch.
Mr. Greene.	Mr. Ewart.
Sir J. Y. Buller.	

James Booth, Esq., called, and examined.

St. George Burke, Esq.,
George B. Ellicombe, Esq., } called, and examined.
John Richardson, Esq.,

[Adjourned till To-morrow, at One o'clock.

Martis, 22° *die Julii*, 1845.

PRESENT:

Right honourable Lord GRANVILLE SOMERSET, in the Chair.

Sir R. Ferguson.	Mr. Loch.
Mr. Pakington.	Mr. Greene.
Mr. Wilson Patten.	Mr. Ewart.
Mr. Estcourt.	Mr. Pringle.

Motion made (Mr. Greene),—"That an Officer of the House be appointed to examine all Petitions for Private Bills, before they are presented to the House, and to certify whether the Standing Orders have been complied with, or in what particulars they have not been complied with."

Amendment proposed (Mr. Loch),—To leave out all the words after "That," and to insert the following words, "it is not expedient, without further experience, to entrust to any parties not Members of the House the duty of ascertaining the compliance with the Standing Orders applicable to Private Bills," instead thereof.

Question,—"That the words proposed to be left out stand part of the proposed Resolution," put and negatived. Words struck out, and proposed words added.

Resolution, as amended, put and agreed to.

Motion made (Mr. Pakington),—

"That

"That this Committee will recommend—

"1. That 'the Committee on Standing Orders' as now constituted, shall not in future Sessions be appointed.

"2. That 'the Committees on Petitions for Private Bills' shall report to the House, as at present, all cases in which it has been proved before them that the Standing Orders have not been complied with, and shall also report whether such Standing Orders ought or ought not to be dispensed with, &c., &c., as now required to be reported by the Select Committee on Standing Orders.

"3. That the Committee on Petitions for Private Bills shall consist of twenty-eight Members, and shall act in four Sub-committees of seven Members each, of whom three shall be a quorum in all cases.

"4. That the four Chairmen of such Sub-committees, with one other Member as Chairman, shall constitute a Standing Order Committee to consider points which may be reserved for their judgment by any of the Sub-committees."

Question put and negatived.

Orders 1, 2, 3 and 9, considered and amended.

[Adjourned till Wednesday, at One o'clock.

Mercurii, 23° *die Julii*, 1845.

PRESENT:

Right Honourable Lord GRANVILLE SOMERSET, in the Chair.

Sir. R. Ferguson.	Mr. Pringle.
Mr. Pakington.	Sir J. Y. Buller.
Mr. Estcourt	Mr. W. Patten.
Mr. Loch.	

Sir Denham Norreys, Bart., examined.

Sir Robert Ferguson, Bart., examined.

Orders 17, 40 *a.*, 42 and 123, considered, and amended.

New Order 36 *a.*, agreed to, as follows:—

"THAT (except in cases where Notices are required to be affixed on church-doors) no Notices given, nor Application made on a Sunday or on Christmas-day, or before eight o'clock in the forenoon, or after eight o'clock in the afternoon of any day, shall be deemed valid."

[Adjourned till Friday, at half-past Two o'clock.

Veneris, 25° *die Julii*, 1845.

PRESENT:

Right Honourable Lord GRANVILLE SOMERSET, in the Chair.

Sir R. Ferguson.	Mr. Estcourt.
Mr. Greene.	Sir J. Y. Buller.
Sir George Clerk.	Mr. Loch.
Mr. Pakington.	

Orders 22, 27 and 30, amended.

Order, 39 *a.*, considered.

Amendment proposed (Mr. Pakington),—To leave out "One-twentieth," and insert "One-tenth" instead thereof.

Question,—"That the words proposed to be left out stand part of the Order," put.

Committee divided :—

Ayes, 2.	Noes, 5.
Mr. Greene.	Mr. Loch.
Sir R. Ferguson.	Sir George Clerk.
	Mr. Estcourt.
	Mr. Pakington.
	Sir J. Y. Buller.

So it passed in the negative.

Words struck out.

The words "One-tenth" inserted.

Proviso to the Order added.

Order, as amended, agreed to.

Order 87, considered.

Section 11 thereof, amended.

Section 20, amendment proposed (Mr. Greene),—To omit the words, "and still allow profit to the projectors."

Question,—"That the words proposed to be omitted stand part of the section," put.

Committee divided :—

Ayes, 5.	Noes, 2.
Mr. Loch.	Mr. Greene.
Sir George Clerk.	Mr. Pakington.
Mr. Estcourt.	
Sir J. Y. Buller.	
Sir R. Ferguson.	

So it was resolved in the affirmative.

Orders 64 and 88, amended.

Order 102, considered.

Amendment proposed (Mr. Pakington),—To leave out "Twenty-one Days," and inser "Fourteen Days."

Question,—"That the words proposed to be left out stand part of the Order," put.

Committee divided :—

Ayes, 2.	Noes, 4.
Mr. Loch.	Sir George Clerk.
Mr. Greene.	Mr. Estcourt.
	Mr. Pakington.
	Sir J. Y. Buller.

So it passed in the negative.

Words struck out.

The words "Fourteen Days" inserted.

Order, as amended, agreed to.

Orders 104 and 129, amended.

[Chairman ordered to report.

LIST OF WITNESSES.

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MINUTES OF EVIDENCE.

Lunæ, 21° *die Julii*, 1845.

PRESENT:

Sir Robert Ferguson.	Mr. Pakington.
Mr. Ewart.	Sir J. Yarde Buller.
Mr. Loch.	Mr. Pringle.
Mr. Greene.	Mr. Estcourt.
Sir George Clerk.	

THE RIGHT HON. LORD GRANVILLE SOMERSET, IN THE CHAIR.

James Booth, Esq., Examined.

James Booth, Esq.
21 July 1845.

1. *Chairman.*] HAVE you considered the practicability of introducing a new mode of examining into questions relating to the compliance or non-compliance with the Standing Orders with regard to Private Bills?—I have not very particularly considered the matter.

2. Supposing it were laid down as a rule that parties should, in the early part of January in each year, send in their petitions for Bills, and should then proceed before you regularly to show that they had complied with the Standing Orders; do you think that that could be carried out?—I think such an arrangement might be carried out; I am not quite sure that with the time proposed it might not interfere with the duties at present discharged by me in making out the breviates, but I think that with sufficient time it might be done.

3. Will you explain how far such an arrangement would interfere with your duties as the person who prepared the breviates of Bills?—Assuming that the Examiner of Petitions is to sit for one month before the meeting of Parliament, the whole of his time during that period would be occupied with examining the Petitions, and the Petitions being examined before the meeting of Parliament, the House would, upon its meeting, be in a condition to proceed at once upon the Bills; but to enable it to do that, the breviates should be prepared before the meeting of Parliament.

4. Under the present arrangement, do you have any duties of a public nature to perform before the commencement of the Session?—Not any.

5. Then, in point of fact, the time dedicated to expedition would not be abstracted from any public duties?—Not any assigned public duties, unless in the case of a general election, when, supposing the House to meet in November and adjourned to February, the time during the recess would be very much occupied in hearing cases of objections to recognizances.

6. I am supposing the usual case of Parliament meeting towards the end of January, and no general election to precede that meeting; under those circumstances your time is not so employed?—Not necessarily.

7. This last year it was employed very much in the preparation of the Consolidation Acts connected with railways?—Yes.

8. That is not likely to occur again?—No.

9. The only point of inconvenience with regard to the clashing of these duties with your present duties would be in the case of a general election, and Parliament meeting before the usual period of meeting in February?—Exactly so.

10. In any general regulation, then, it would be necessary to provide for such a contingency as that?—It would so.

11. Assuming that your time is liable to be disposed of, do you think it would be in your power within, say from the 10th of January to the 10th of February, to complete such an examination as would be likely to ensue from an investigation into questions relating to compliance, or non-compliance with the Standing Orders?—I am less able to form an opinion as to the time that would be required than gentlemen who have more experience of Sub-committees on Petitions; I have practically

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practically no acquaintance with the proceedings of the Sub-committees; I desired my clerk this morning to ascertain the number of Sub-committees that have been sitting during this Session, and I find it is about 117; and I inquired from one of the Committee clerks, conversant with these proceedings, as to the average length of time these Committees sat, and his opinion was that it had not been less than three hours each day; that would give a period of more than 300 hours; and if you assume that the Examiner of Petitions could sit six hours a day, that would require at the least 50 days.

12. Is it not probable that one individual sitting by himself could get through such business as that?—I think it is; but on the other hand it must be borne in mind that the Committee can proceed more summarily; it would probably be found necessary to proceed according to more strict rules than are observed by Committees; the proceedings of the Examiner would be more freely canvassed, and if they were called in question in the House, he would not have the same means of defending himself or giving explanations as members of Committee have; and if it became necessary for him to communicate with the Standing Order Committee, that would take place a considerable time after the proceedings before him, and it would be impossible that he could remember the circumstances of every case; all this would make it necessary that he should take pretty full notes.

13. Would not the presence of a short-hand writer facilitate the transaction of those inquiries?—To some extent it would; I am speaking very much off-hand; I suppose that the Committees are not in the habit of giving any reasons for their decisions; I am not sure that the Examiner of Petitions would feel himself at liberty to proceed so summarily.

14. On the other hand, your duty would be to state whether such and such a Standing Order had been complied with or not?—Yes, but to a certain extent the parties would have to be satisfied that their arguments had been attended to.

15. Might not questionable cases be referred to the Standing Order Committee as a court of appeal?—I assume that in all cases where the Examiner was not satisfied that the Standing Orders had been complied with, he would so report to the House, and the matter would be referred to the Standing Orders Committee.

16. The only duty proposed to be thrown upon you is to ascertain the fact, not saying whether or no such and such fact was fatal to the Bill or not?—Exactly so; still I think, on the whole, you can hardly assume that the Examiner of Petitions would proceed more rapidly than the Committee, taking into consideration the necessity for proceeding with more strictness.

17. One part of your duty, and the most important if the alteration were made, would be, not only that you should look into cases where opposition is raised and allegations are produced hostile to the parties promoting the Bill, but in all cases to ascertain how far the Standing Orders have been complied with?—That is a reason for supposing that the time taken would be greater.

18. Then the general result of your feeling is, that it would take at least six weeks to perform as much duty as will be performed this year, apportioning yourself six hours' work a day with this investigation?—At the least, and that upon the supposition that there were clerks to prepare the reports. I have been looking at the journals, and I find that many of the reports are of very considerable length.

19. I am assuming that you should have every possible assistance that you could fancy was useful to you, and the question is, whether, under those circumstances, you think you could perform the duties under six weeks?—I think the duty might be performed probably in six weeks with a sufficient staff of clerks.

20. Then having a full right of commanding all the extraneous assistance you might require?—I think so.

21. Assuming you began your duties on the 10th of January, that would bring you to about the 20th of February?—About that time.

22. For the first three weeks would that interfere with the duty of making breviates and so forth?—Very materially.

23. In point of fact, those are the three weeks which would be a period most important to be left free, if any thing like speed was to be obtained by this alteration of the system?—Exactly so; and not only that, but it would be necessary that I should have the Bills before the meeting of Parliament, in order to get the breviates in course of preparation.

24. Do you think, supposing, in addition to the clerks and other mechanical assistance,

assistance, you could superintend the operation, if some gentleman of legal competency were to assist you in these investigations?—I think it might be done.

25. You being the superintending and directing party, but having the legal assistance, I mean, of a barrister fully competent from education to undertake these investigations?—Yes.

26. Do you think it would diminish the time necessary for the inquiry, so as to enable you to complete it by the ordinary period within a month after having commenced?—Assuming that the Bills are printed and lodged along with the petitions, and assuming that I had assistance during the whole of that period in the preparation of breviates, I think it could be done.

27. It would enable you satisfactorily to go through those investigations?—So far as I can now form an opinion, I think so, but I doubt whether the time is sufficient; I feel, however, certain of this, there would be quite a sufficient number of Bills ready before the meeting of Parliament to occupy the House; but whether the whole would be completed within 20 days after, I cannot say.

28. Suppose we take a month of 30 days, say 25 working days, as the period to be allowed, the question is, whether with additional assistance to investigate, besides clerks and short-hand writers, you could give those 25 days to complete the investigation?—Judging from the work of the present Session, I should say 25 working days would not be sufficient; assuming that the Examiner of Petitions proceeded with about the same expedition as the committee, I should calculate that rather 50 days than 25 would be required.

29. With additional assistance?—I am now speaking of the Examiner of Petitions only.

30. I mean when he has got a barrister to assist him?—It would not be any assistance with regard to examining the petitions; I am assuming the assistance would be in getting the breviates in a state of forwardness.

31. I mean that you should have legal assistants, who, although working independently of you, yet should be under your general control; by that means would it be possible to perform those duties?—Am I to assume that I might commit to that assistant the examination of unopposed petitions?

32. I am assuming a second barrister to work under you at the same time, independently of you as the Examiner of Petitions?—I think in that case a certain portion of the duty must be committed to him, upon which he must report to the House.

33. I mean to ask whether you feel any difficulty that it should be submitted to you as referee, and the whole thing conducted under your superintendence, although to a certain degree independently?—I might exercise a general superintendence; but I think that in the examination of the petitions, each examiner must proceed on his own responsibility; probably the time may be enough.

34. Then in all cases of difficulty or doubt he should refer to you as the person most responsible, and in ordinary cases that he should go into the investigation as you yourself did?—In some way I think it very probable that the work could be got through.

35. In your examination of the number of days of the Sub-committees sitting, you state 117; do you include in those days the sitting upon clauses and amendments referred to them from the House?—Every thing that would come under the description of a petition upon a Bill.

36. Look to page 17 of the Standing Orders?—Yes.

37. You see there the duty of the Sub-committee upon Private Bills is, "that the compliance with the following Standing Orders shall be proved before one of the Sub-committees;" and the first point to prove is, "proof of notice on church-doors where bills relate to England, and Standing Orders may be proved on affidavit;" that is No. 10 and 11; of course the same advantages of proving by affidavit as to Scotland and Ireland will be preserved; now, that is part of the duty I should propose, supposing the plan to be carried out, you would have to attend to; and with regard to "Notices of Application," you would have to consider those notices; then No. 16 states some particular circumstances where tolls are to be levied; that would be part of the duty you would have to attend to; and also that application had been "made to owners, lessees and occupiers," and so forth; that you would have to attend to; and then, No. 18, "Notices to be affixed on church-doors;" then No. 19, "Notices to owners and lessees of Crown property," &c.; in short, throughout the whole of these Standing Orders, everything that appertains to the different notices according to the different description

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of works; then No. 23, "Plans and Sections of Railways, with Books of Reference, to be deposited with the Board of Trade;" and then "Land within deviation to be on plan;" and then, "that the section be drawn to the same horizontal scale as the plan?"—Yes.

38. Mr. *Ewart.*] Do not you think that the appointment of a single person, instead of several members, would have the advantage of producing greater uniformity of decision than under the present system, and so far shortening the process?—Yes.

39. Mr. *Greene.*] There is one point that must be thrown upon you; that is, how far the possible deviations are taken into the plan as well as the main line of railway; if you refer to 24, "that where it is the intention of the parties to apply for powers to make any lateral deviation from the line of the proposed work, the limits of such deviation shall be defined upon the plan, and all lands included within such limits shall be marked thereon; and that in all cases, excepting where the whole of such plan shall be upon a scale of not less than a quarter of an inch to every 100 feet, an additional plan shall be laid down;" that would be a point you must of course attend to, and a very essential point of formality?—Yes.

40. Nevertheless, that is a thing to prove or disprove by evidence; there is nothing complicated in that, it is mere matter of fact?—Yes; one point worthy the attention of the Committee is this; if, as I collect from what has fallen from some members of the Committee, it is intended that the accuracy of the plans and sections, in an engineering point of view, should not be inquired into on the petition, but by the Committee on the Bill, it is worth while to consider whether the attendance of the engineers may not be dispensed with in this stage of the proceeding; whether it would be necessary to have them before the Examiner of Petitions at all, unless there was a question as to the omission of some important portion of the plan.

41. *Chairman.*] In that case you might say, "your plans are incorrectly drawn; they do not include what they ought to include;" and then they must produce their draughtsman or surveyor; do you think this business, with competent assistance, could be performed within 25 days after the first commencement of it?—I must repeat that I am less competent to form an opinion than probably many gentlemen who have had experience on these Committees. I do not see any insuperable difficulty.

42. Hitherto you have had very little to do till the first week after the meeting of Parliament?—My work begins generally a day or two before the Session.

43. Under these circumstances, they would be anxious to have their breviates quicker, before the commencement of your other labours?—Yes, and that is what makes the great difficulty of the petitions being examined by the same person who prepares the breviates; I assume that the first step under the proposed arrangement would be the lodging of the Bill on the 31st of December; and that within seven or ten days after that, it would be required that objections as to the Standing Orders should be lodged; and that if objections were not lodged by that time, it should be considered that the Bills were unopposed; then comes the question as to the order in which they should be taken.

44. Have you considered at all what would be the easiest and fairest course to take with regard to considering these several petitions?—I think the proper course would be to take them in the order in which they were lodged.

45. It is not an unnatural thing to assume that a good many would be lodged the same day and the same minute?—I should assume that the office would open at a certain hour and close at a certain hour; and if three or four agents came, at the opening of the office, say at 11 o'clock, I should propose that they should lodge their Bills in turn, each entering one at a time; and if only one agent, that he should lodge his Bills in such order as he thinks fit.

46. Supposing three or four came at the same moment, because there would be a great competition, how would you take them, alphabetically or not?—I would let them cast lots as to who should have the first turn.

47. That the parties should cast lots as to which they should present first; that the several agents should make up their own minds as to which of their own Bills they would commence with?—Exactly so.

48. And then you would enter into the investigation, and according to their standing the investigation should proceed?—Exactly so; with this difference, that as to the unopposed Bills, at the end of seven days, assuming that to be the time limited for lodging objections, we should know which were opposed and which unopposed;

unopposed; and as to the unopposed, I should propose that the Examiner should begin immediately. At present, if a party intends to oppose a Petition, it is necessary that he should present a Petition three days before the sitting of the Committee; that is to say, seven days after the presentation of the Petition, the Petition being required to be presented ten days before the sitting of the Committee; so now I propose that within seven days after the last day for lodging the Bills, the notices of objection should be all lodged, and if none be lodged, that it must be assumed that they are unopposed.

49. You would say the first day for lodging Petitions should be the 1st of January, and that upon the 7th of January the time for lodging objections should expire?—I should have proposed the 31st of December as the last day for lodging the Petitions and Bills, in order to begin on the 10th of January.

50. We will take the 1st of January; then on the 10th the investigation to commence; so that in fact there would be between the 7th and the 10th days for lodging objections?—I should propose to allow for lodging objections at least seven days after the last day for lodging the Petition.

51. You would begin when?—Suppose you take either the 1st of January or the 31st of December, as the last day for lodging the Petition; then the last day for lodging the objections would be the 7th or 8th of January; and on the 8th or 9th the Examiner of Petitions would proceed with the unopposed cases; no notice being required as to them; I should propose that he should not begin with the opposed cases earlier than three days after the objections had been lodged, and then proceed in the order in which they were lodged; one difficulty would be the publishing of the notices; at present the parties are informed by the Votes; there must be some register; and it would be a question for consideration whether papers should not be printed and distributed among the agents, containing such notices as during the Session are given with the Votes.

52. That the agent would ascertain from the notice in your office?—The present machinery of the Private Bill Office would be entirely adapted to the proceedings under the proposed arrangement, with this difference, that the House not sitting, there would be no publication of the different steps in the Votes.

53. The information ought to be accessible; there is no difficulty about that; you must put the officers in activity at the proper moment; there must be lists furnished?—My suggestion was, that these should be printed and distributed.

54. You could entrust the preparing of the breviates to some other person without inconvenience, could not you?—If it were a permanent change I could; there would be no difficulty.

55. This is proposed merely as an experiment, and from the experience of next year we might alter it or do away with it?—Supposing a competent person could be found to examine the petitions, I think the most convenient course would be, that he should undertake that duty, and that I should prepare the breviate as at present; the preparation of the breviates ought to go on from the first, in order to be ready for the meeting of Parliament; and, supposing you found it necessary to appoint another officer, why should he not singly undertake the duty of examining the petitions? my duty would then remain as before; the only difference being that I should have the Bills a month earlier.

56. You would throw the responsibility of the preparation of the breviates on one person, and the preparation of the Bills on another?—The examination of the petitions.

57. So as not to have a division of opinion?—It would be easier for a stranger, a man conversant with the practice of courts of law, to take upon himself the duty of hearing the petitions, than the preparation of the breviates; he would be from the first as competent as I should be to judge of the cases that came before him.

58. Mr. *Ewart*.] That would secure greater uniformity than allowing one person to superintend the other?—I think it would be better.

59. *Chairman*.] What is your opinion as to the possibility of appointing two persons, yourself and another, to examine this question of whether the Standing Orders have or have not been complied with; do you imagine it could well be done to place another under you, making you the responsible person, or would you say each party should be entirely responsible?—I should say, the Examiner should be responsible.

60. Do you mean the Examiner should be responsible, and the person under him not responsible?— I mean, if it is understood that there is to be extra assist-

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ance, it would be better to appoint an Examiner of Petitions, over whom I should have no control.

61. That is, that the office of Examiner of Petitions should be distinct from your office?—It appears to me, that that would be the most convenient course.

62. Supposing it necessary to have additional assistance?—Yes, I think that would be better than to have an assistant to assist me, partly in examining petitions, and partly in preparing breviates.

63. You propose that all petitions should be examined by one person?—Yes.

64. If you were unequal to that, you would rather have a person specially appointed to that, than to divide the whole of the business between them?—Yes.

65. Could you undertake it yourself?—I think it would be more than I could possibly discharge, unless the work were to be begun earlier than is proposed.

66. *Chairman.*] Your proposal is to do away with it, not to have two Committees going on?—No, to proceed separately; and I think, supposing we got to work 25 days before the Session, he would have such a number of Bills to report to the House, and I should at the same time be prepared with the breviates, that the House could at once get to work and proceed continuously with the Bills.

67. Assuming this project is practicable so far as time is concerned, what do you think might be the power, or ought to be the power, that the Examiner, being some person specially appointed, should have as to sending for additional evidence?—I should not propose to give him any powers.

68. Do you think he could work out his business satisfactorily without powers?—I see great difficulty in giving him powers, and I think they would rarely be required. In the Court of Chancery and the Courts of Law, a great portion of the business, what they call the interlocutory business, is conducted upon affidavits which are always voluntary.

69. Do you think the powers of the Examiner, his duty being to show that such and such Standing Orders had not been complied with, because certain parties had not been brought forward as evidence; would his power be sufficiently cogent upon parties as to produce sufficient evidence?—It is not his business to compel parties to come before him; it is the business of those who have a case to make, to be prepared with evidence to make out that case. You might, if you thought right, give to the Examiner the power of adjourning any case in which he thought the interests of justice required it.

70. Until the sitting of Parliament?—Yes; on the ground that parties whose evidence he thought necessary refused to appear.

71. You think that would be sufficient practically to work the scheme?—I think so.

72. You would have, of course, a regular office to receive objections, and you would call upon the parties to make those objections in detail; not a general objection, but a detail of those objections which they proposed to bring forward?—With as much strictness as they are now required to make their objections by petition, a great deal of the present system of regulations would apply, as it appears to me.

73. In cases where parties have not the Bills opposed, the main duty of the Examiner would be to see that the Standing Order has been complied with, just as much as where opposition is offered?—It would be his duty to go carefully through the case, and see that proper evidence was brought before him.

74. Under those circumstances can he procure the attendance of adverse witnesses?—It is the duty of the promoters of the Bill to bring forward the evidence necessary to show that the Standing Orders have been complied with.

75. That is on one side; I mean independent evidence; how do you suppose he would proceed?—I think the case would hardly arise; if it did, a power might be given to the Examiner to adjourn the case.

76. In the case of opposition or not, he might adjourn, if his own mind was not satisfied that the Standing Orders had been complied with?—*Primâ facie*, if he was not satisfied, he would report that the Standing Orders had not been complied with; but if it appeared that the defect arose from a witness refusing to come forward, he might adjourn the case.

77. Would it be necessary to have power to summon a witness, or state to the parties "I cannot report the Standing Order complied with, without certain evidence"?—Exactly so; it is their business to be prepared with evidence, otherwise

wise they do not satisfy the Examiner; I do not see any objection to reserving the power to adjourn, if he thought fit. *James Booth*, Esq. 21 July 1845.

78. The power of adjourning the consideration would probably produce all the effects required?—I think so. You must bear in mind there is great difficulty in dealing with adverse witnesses before an officer of this House; the only course is for the House to proceed by commitment, and they might hesitate to do this on the report of the Examiner.

79. Do you state that any practical inconvenience would arise from witnesses misbehaving themselves before the Examiner?—I think there would be considerable difficulty in dealing with an unwilling witness.

80. He cannot be unwilling if you have not the power?—I am considering whether it is desirable for the Examiner to have the power to send for an adverse witness.

81. You could not, in point of fact, force the attendance of an adverse witness?—Yes, the House might order it.

82. Mr. *Greene.*] At how late a period before the meeting of Parliament would you undertake to go on with the investigation of these questions, so as not to interfere with your preparation of the breviates?—I think it would require two months at the least.

83. How soon do you commence the preparation of the breviates after the meeting of Parliament?—As soon as I can get the Bills; I get a few before the meeting of Parliament.

84. I apprehend, after the meeting of Parliament, it would be almost impossible for you to devote any lengthened time to the consideration of these petitions?—I could spare very little time after Parliament has met; the extra portion of the work, if done by me, must be done mainly before the commencement of the Session.

85. More than devolved upon you, according to the arrangement originally made at the time the situation was offered to you?—According to the original arrangement I had with the Speaker (Lord Dunfermline), I was to devote the whole of my time during the Session.

86. Then the arrangement was during the Session of Parliament?—Yes.

87. Then this duty, in order to get efficiently performed, must devolve upon you prior to the meeting of the House?—Yes, the main part of it.

88. What time do you think you should be able to spare?—I am very fully occupied during the first three months of the Session.

89. Can you spare four hours a day, three days a week?—Not without great labour and working at extraordinary times.

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90. *Chairman.*] (To Mr. *Burke.*) HAVE you seen this sketch?—[*handing a paper to the witness*]—you are a Parliamentary agent in very extensive business?—Yes. *St. George Burke*, *Geo. B. Ellicombe* and *John Richardson*, Esqrs.

91. The proposal we wish to have your opinion upon, to see how far you deem it practicable, is, that instead of the present practice, that the compliance or non-compliance with the Standing Orders should be investigated by a Committee of this House; that that question should be submitted previously to the meeting of Parliament, so far as the Session can be presumed to begin at a particular period of the year, to some officer of this House; and as it is obvious, by that means, that the Parliamentary business would be advanced in point of time, and, besides which, there are other reasons which make it advisable that the thing should be carried out; what is your opinion?—It is a subject I have not considered previously; off-hand, I can see no reason why a competent officer of the House should not be able to determine whether the Standing Orders had or had not been complied with; or, at all events, to ascertain the fact, whether they had or not.

92. The proposal would be, to accelerate somewhat the notices given to parties who might be interested, and that every petition, with its accompanying Bill, should be sent in to the proper officer in this House in the early part of January, and the investigation begin about the 10th of January; but that the officer of the House shall merely report, whether or not compliance has been observed with the Standing Orders, and should specify any omissions which he detected, beginning his investigation about the 10th of January, and going on day by day, as circumstances would permit, till the business was complete?—

St. George Burke, Geo. B. Ellicombe and *John Richardson*, Esqrs.

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The difficulty I have, in the first instance, is with reference to the preparation of a Bill in that time; no doubt, if it became an order of the House, parties would be obliged to begin preparing the Bill much earlier than they now do; but, speaking from practical experience, Bills are not prepared so early as January; the parties are very actively engaged in complying with the Standing Orders during the month of December, and the Bills themselves are very often left to the very last moment, and necessarily so where the clauses depend upon negotiations with parties, so that, in point of fact, we find that Bills are, generally speaking, never ready till some time after Parliament has commenced its sittings.

93. It is evident that if a large proportion of the schemes which are now before Parliament are likely to come before it next year, there will be the same inconvenience which has been experienced this year, and it is not probable that Parliament would go on giving the facilities which they are now giving to certain Bills; under these circumstances, it is important that the business of the Session should be advanced, and not driven off to the latest period?—Yes, and no person feels more strongly than I do the inconvenience that has resulted from the delay that has taken place in the present Session, more particularly in consequence of the course pursued in the Standing Orders Committees; and every Parliamentary agent would agree with me in stating, that the system of opposition that was carried on in the Standing Orders Committees not only led to enormous expense and delay, but that it was an unworthy kind of opposition from beginning to end, though it was successful. In this year Bills were allowed to be brought in at a much later period than heretofore; but if they had been brought in at a much earlier period, I apprehend the same delays would not have arisen.

94. Would it not be desirable, looking to the public interests I mean, not the interest of the promoters of a Bill, but the advantage of the public itself, that those Bills should be brought in at very early periods, and that they should undergo investigations when the House is not so much oppressed by business as it has been since Easter?—Yes; if that object could be attained, every mode that would expedite a Bill would be an object of importance; I only repeat, that, speaking from practical experience, I know that the framing of a Bill is a matter which hitherto has certainly not been in so advanced a stage as to be ready early in January.

95. The Consolidation Bills render the preparation of a Bill much less tedious than previously?—The Consolidation Bills comprise simply those matters which are matters of course, and which were heretofore repeated in all Railway Bills, but there is hardly any Bill brought in, especially where there are conflicting interests, which does not lead to a great deal of negotiation; a clause of a Bill that may be only six or seven lines in length may be the result of very long negotiations and a great amount of labour before it has been brought to bear; I think if Bills were required to be settled so early as the month of January, the result would be, that every opponent on the line would have amendments to propose to a much greater extent in the Committee on the Bill; no doubt, however, this would work its own remedy, and if the House determined this year that future Bills should be ready in January, parties would get accustomed to it.

96. In your experience in these matters, do not you discover that parties put off under those circumstances coming to their decisions to the very last possible moment?—I do not think they do intentionally, though, possibly, such is practically the case.

97. The proposal would be to leave the period of the 30th of November for lodging plans and so forth, as it is now, and to fix the 16th of December as the day, instead of the 1st of May, for giving notices of application?—That I hold impossible; I hold a month, as it is, is as short a period as it is possible to do it in; Honourable Members have very little notion of the amount of trouble occasioned by these applications, which cannot even be commenced until a deposit has been made of the plan and section of the undertaking, with a book of reference containing the names of the different owners and occupiers of property proposed to be taken; we have to prove these formal applications with the most minute nicety, and the omission of one single field is an objection on the Standing Orders, or the omission of the sectional height or depth of the railway through that field; the mere preparation in a long line of railway of those applications before you begin to serve one is enormous, and I do not think it practicable to complete the service of them until after Christmas.

98. How long before November are the plans prepared?—Speaking practically,

tically, I have never known plans ready before the night of the 29th of November; it is a very onerous duty, and the extreme minuteness and strictness with which the Standing Orders have been enforced of late years, render an immense amount of inquiry necessary to feel certain of the accuracy of those documents; so that with every despatch and every desire to expedite, I have never known them ready till the last moment.

99. I mean to say, how many days before you pack them off are the plans known by the parties promoting the Bill; there must be sometime occupied in putting them in order, and that would enable you to give the requisite notices?—I assure you it is not so; the mode pursued is, the engineer lays down his line on the Ordnance Map, and then it is entrusted to the surveyor to prepare the plan, field by field, which are sent up in detached portions, and the solicitor generally, from the slips of plan so supplied to him, ascertains the names of the owner and occupier of each property, and then the line has to be laid down on the plan; it then frequently happens that the line so laid down interferes with new property, and you have to get a new survey made of a different line of country, of which a reference has to be taken, and so from time to time, till at the last moment the surveyor has definitive authority to get his plans ready for deposit, after which you have the numbering of the different fields, for which purpose a meeting of all the different parties takes place in order to compare the plans with the Books of Reference, and if there is a mistake, the numbering from beginning to end has to be altered; in point of fact an immense amount of labour is bestowed until the plan is at last given in, in the shape in which it appears before Parliament. These are things involving a great deal of time, far more than is generally believed; in my own office, during the last few days in November, we are constantly occupied night and day, giving every attention to this branch of labour, and we are just able to get ready in time.

100. When do you begin operations?—As soon as the crops are off the ground.

101. At this moment advertisements are put into the newspapers about every possible line of railroad between this and the Land's End, the north and the south; are not those advertisements founded upon something like a survey?—Half of them are mere schemes; the promoters of them may have a general knowledge that a valley runs in a particular direction, and then projects are advertised of a Railway through it without any survey having ever been made.

102. If these parties use due diligence, ought they not to be prepared before the month of November, to be able to give notices to the occupiers over a great part of the line?—I think not; you find Mr. Brunel, Mr. Stephenson, Mr. Locke and other eminent engineers employed at this time in the lobbies of the House of Lords, and day by day attending Committees, and at the end of the Session they have various duties to attend to, and cannot begin till the crops are off the ground.

103. With regard to one of your lines, you are agent for the South Wales line; how soon had you to determine your line for the county of Glamorgan?—I can hardly tell.

104. Have you ever varied that line much?—Not that I am aware of; I can only speak hesitatingly about that; I was not engaged in complying with the Standing Orders upon that line; I can hardly state distinctly.

105. So far as you are able to state, there has been no variation in the county of Glamorgan that could influence Standing Orders subsequent to the 1st of October?—A deviation of a very minute description will affect a Standing Order; for instance, an engineer will have laid his line in a particular direction, which interferes with a gentleman's paddock which he knows very little about, and the solicitor finds that this creates opposition, and then the line has to be shifted to avoid it.

106. Was it not practically the fact, that in the great county of Glamorgan there was never a deviation after the first field was laid down?—I cannot answer that question.

107. What line were you consulted upon, more particularly with regard to this Session?—We practically superintended in my office the compliance with the Standing Orders in the Lincoln and Ely, and in the Nottingham and Lincoln, and other lines promoted by the Midland Railway Company; those lines we attended to ourselves.

108. The Lincoln and Ely; how soon was that line settled?—I think it was

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settling all the month of October and November; the engineers and solicitors were out together.

109. Was that a difficult line, owing to the nature of the ground?—No, I think not.

110. Has there been much deviation in your proposed line between the 1st of October and the present moment?—Very frequently during the month of November last.

111. So as to make any great variation in the parties to whom notice should be given?—Yes, it was a constant source of regret that we had the work to do twice over, in consequence of alterations of the line.

112. How long before the month of November were the plans lodged?—They may have been in the lithographer's hands a week before the 30th of November.

113. Will it be practicable in these great lines to give the parties a certain number of days' notice before the deposit of the plans, and not to leave them unnoticed?—No; we never find it practicable to make out the applications at all until the lithographed line is definitively settled, because the plan deposited with the clerk of the peace is not numbered so as to correspond with the book of reference, until that lithographed plan is ready on the stone; and until we can compare the plan and reference together as prepared definitively for deposit, we never feel ourselves safe in making out the schedules to the applications.

114. Your schedules are generally printed, are they not?—Not the schedule; the schedule is always manuscript.

115. A great portion of the application printed?—Yes, we have large printed forms of the introductory part, thousands of them, but the schedule to each has to be separately prepared.

116. Then the filling up?—That is a long job; for instance, the proprietor may be the owner of 20 or 50 fields, and I have then to fill in the parish or township in which each of these is situated, the number on the plan, the owner, lessee or occupier, and the sectional interference with the property; all that has to be done.

117. Do not you think if Parliament was to say "you must give in your plans by the 15th of December," that that would be adopted?—Whatever is practicable may be accomplished by increased diligence and expense and the employment of a vast number of hands; but speaking practically, and with a desire to expedite every thing in the conduct of our business, I do not think the performance of the work can be limited to that time at all; I think that, as it is, it is all that can possibly be done, to make the applications by the 31st December.

118. Do you think you could fix an earlier date for the depositing of plans than the 30th of November?—The day fixed has been the result of very long experience; and engineers are so much more competent to answer the question, that I would rather leave them to answer it; our business hangs upon the engineer entirely; I know, generally speaking, that engineers consider the 30th of November as the best period.

119. Do not you think that all these forms to which you have adverted, are commenced with reference to the day Parliament has fixed?—You mean preparing the plans and sections; no doubt the period fixed has reference to the harvest; you cannot get your chain-men across the fields while the crops are on the ground; the levelling and measuring for the preparation of the plans can only be done when the crops are off the ground.

120. Mr. *Ewart.*] Would it be a serious evil if some of these great schemes for which you had not time to prepare the minutiæ for next Session were postponed to a subsequent Session?—You would find all the promoters say it would be a great evil; where they have large funds subscribed, they are anxious to get a verdict on their projects as soon as possible.

121. Would it not be better to postpone these lines?—I do not think by postponement you could attain your object; I believe that prolonged notices are among the greatest evils the landowner has to contend with; I object to keeping hanging over the landowner the uncertainty whether the railway is to come through his land or not.

122. *Chairman.*] You are not called upon, as far as these questions go, to lay the Bill before the Examiner; that would be a petition for a Bill without the Bill itself, put foremost to examine on, as to the non-compliance with the Standing Orders?—That might be the case, and was the system that used formerly to prevail,

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vail, but since then the Bills have been attached to the petitions; and sometimes there are provisions in them which are considered to involve certain Standing Orders, and which lead to a great deal of opposition. The mere question, however, of making a railway from A. to B. might be presented to the Examiner of Standing Orders, as well upon the petition as upon the clauses of the Bill; but after you presented your petition—if your Bill contained any powers whatever, not in your petition, that would raise a Standing Order question.

123. Might not the petitions be made a little more distinct, as to what the real intention of the parties presenting the Bill was?—Yes, I think so.

124. You think that would be an improvement?—No doubt, if you are to limit the period for bringing these matters before the officer who is to decide the Standing Orders, it would be better to have the inquiry upon the Petition than upon the Bill.

125. In respect to your plans and sections deposited with the clerk of the peace, on or before the 30th of November; in the progress of that work cannot you ascertain who are the owners and occupiers through whose property you are passing, so as to enable you to give notice?—No; really, you cannot then give a notice; you may give a general notice; you cannot give a particular notice; you do not know, until your plan is definitively numbered, that you have got your Schedule correct, with reference to each field.

126. Mr. *Greene.*] A calendar month is the shortest period in which it can be accomplished for a long line of railway?—We have found it so; we have done it with great hurry and difficulty in a month; in point of fact, but a small proportion of those notices are ready for the first 15 days of December.

127. *Chairman.*] Were there any special trains sent out late on the 30th of last November?—Certainly; I think the Great Western trains went to Exeter in about three hours and a half.

128. Starting on the evening of the 30th of November?—Yes, there were special trains on all the lines.

129. Who was the Parliamentary Agent of the direct Northern?—Mr. Webster.

130. Do you suppose there will be as much pressure next year as there has been this?—There is every appearance of it, if the money market remains as it does now.

131. Do not you conceive that people having learnt the disadvantage of being so late this year, may gain experience and advance their business for next year?—I have no question that parties anxious to carry their Bills next year, will use every expedition that they can; I think, this year, nine-tenths of the parties went upon the fallacy of the Board of Trade getting them through all kinds of difficulties.

132. In point of fact, nine-tenths neither read the recommendation of the Committee on railways last year, nor the minute of the Board of Trade last August?—They may have read it; but it was considered that by a favourable report of the Board of Trade the battle was decided; I know many of my clients who built upon getting their Bills through, assuring themselves that they would not be lost for trifling inaccuracies after the Board of Trade Report in their favour, but next year I think every diligence will be used; I think things will be done with every diligence after the experience of this Session.

133. Assuming that we make no alteration in the period of the 31st of December for giving notices, how can you work out the proposition, the Bills being presented to the Examiner to consider the compliance or non-compliance with the Standing Orders by the 7th of January?—Instead of bringing in a Bill, simply a petition for a Bill.

134. You think that practically could be done?—Yes.

135. Whilst you are giving notice, what is your particular business up to the 31st of December?—Our particular business, as Parliamentary agents, is not to give notices; it is done by the solicitors; but we are consulted every day as to particular parties to be applied to.

136. These questions, no doubt, are arising; but with regard to the preparing a Bill these are questions which, generally speaking, do not affect the provisions of the Bill, do they?—No, they do not; and speaking individually, and I believe the rest of my colleagues will agree with me, we are anxious to get instructions to settle the Bill as soon as possible; I generally settle seven-tenths of the Bills in my own office; but the difficulty is in getting instructions; we find it difficult to get instructions.

 137. Supposing

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137. Supposing a necessity existed for your having instructions, would not the result be that you would have them in many instances?—I suppose it would work its own remedy; it would come to that eventually; if the House limits a particular time, it would have that effect.

138. If you should have that disagreeable occurrence to projectors, namely, putting off certain schemes, do you think that great public inconvenience would arise?—A great deal of money would be lost by it.

139. When the feeling was that the money would be lost by postponement, do not you think parties, instead of going sluggishly about their business, would do it more speedily?—I hardly think that it would have that effect; I think that parties at present do really use the best diligence in their power in bringing forward their schemes; in measures of great magnitude the compliance with Standing Orders is no trifle, it is a matter of extreme and arduous labour; while the solicitors are engaged in complying with the Standing Orders they have not time to attend to the Bill; I know practically that the labour is enormous, that they are constantly engaged.

140. Mr. *Greene.*] Do you not think that the fact of the magnitude of this work makes it desirable that more time should be devoted to it?—You cannot insure more time; when the March notices were in force the parties did not begin their work a bit more early than they do now; I think that parties knowing that they have to encounter a lengthy opposition, (and they will know that more next year than this,) will use all the diligence they are able to give, in order to get the Bill ready.

141. *Chairman.*] Does not that answer of yours confirm the idea that the delay arises, not from any natural impediments arising from the harvest, but from other causes?—*Cæteris paribus*, if you had the same facility for making your survey, you might make it at one period of the year as well as at another, but, the facility for making it must have reference to the removal of the crops from the ground; in summer the surveyors can hardly do it; they would not be allowed to trespass upon property, to trample down the wheat in order to make their surveys.

142. Will it not be a very great advantage, supposing it possible that the Bill, the Standing Orders having been complied with, shall be able to proceed earlier?—I think so.

143. What length of time, in point of fact, do you think would be saved with reference to the Bill going into Committee?—Now there is 10 days' notice of the Committee on petition, and on their report, you get the first reading; about a fortnight, therefore, at least, is required before the Bill can be launched, but, except this Session, we never have been much inconvenienced by the delay; last year, at a much earlier period of the Session than this, I had not a Bill in this House, and scarcely one in the other; the delay has arisen from allowing parties to bring in their Bills so late.

144. Do you not think the pressure will be equally great next year?—If the House do not extend the same indulgence that they did this year, the Bills will be brought in at a much earlier period.

145. If this proposal should be carried out, would it not be right that the House should restrict the period beyond which Bills should not be introduced?—The first three weeks is a very fair period.

146. Do you think there would be any inconvenience, supposing such a plan adopted, in proving before the Committee upon the Bill the estimate of the expense that is now required to be deposited before the presentation of the petition?—It is a mere formal matter.

147. The subscription contract?—Provided the contract is not the subject of discussion before the Committee by counsel; I think if it were, there would not be the same uniformity of practice that there is before the Committee upon the petition; you might have a very strong resistance upon the contract, and a great deal of argument; for instance, they might possibly go into the question of the solvency of the parties, if the contracts are proved before the Committee on the Bill, where counsel are heard, and unless there is some very definite uniform practice in regard to them, such a course will lead to delay, and a great many useless objections will be taken to the contracts which are not now tolerated.

148. What are the points in your experience that seem most seriously contested before the Standing Orders?—Those most contested have been the plan and section; it is so easy to contest the plans; the mere shrinking of the paper upon the section also will cause a difference of height according to the small

small scale of several feet, and you find ingenious engineers going over these things and measuring them, and finding discrepancies between one deposit and another, and an amount of little errors accumulated, which I believe are inseparable from extensive lines of railway; you have cottages left out or not marked on the plan; various little inaccuracies of that kind, I think, form the principal grounds of objection; again, another objection is, that you have a wrong owner or lessee; that very often is another objection; or that an application has not been made; the applications are always made to parties whom you have put down as the owners and lessees, but you cannot be sure that these are in all cases right.

149. Do you think that any of these points now necessary before the Committee on Petitions could with propriety be left out and brought before the Committee on the Bill, transferring in fact to the Committee on the Bill some of the compliances with Standing Orders which are now considered by the other Committee?—I confess, according to my own experience, I should be very sorry to see Committees on Bills inquiring into Standing Orders.

150. With regard to the datum line, is not that a matter which can be just as well, and rather better, ascertained before the Committee on the Bill than the Committee on Petitions?—Yes; the errors on the section might be better investigated there, no doubt; it is matter of long inquiry, and is a question involving possibly the practicability of the line; it is one of those very difficult points which the Committee on the Bill might have more time and opportunity to investigate than the Committee on Petitions.

151. Are not these points, even at this present moment, whether they have been discussed before the Committee on Petitions or not, still often opened and discussed before the Committee on the Bill?—There has been only one case of the kind this Session.

152. Are not matters very much of the same description revived before the Committee on the Bill?—I think not; if so, they are always resisted. In the House of Lords, I had to resist only this day precisely the same attempt which succeeded in the Cambridge and Lincoln case, and it leads to this hardship: parties contest your preamble as long as ever they can, and, finding they have a bad case, they keep in their pockets some little miserable objection on the section, which they bring forward at the last moment, to throw out the Bill.

153. Bearing upon this point, it has been suggested, that parties opposing in the Committee on the Bill should hand in a statement in writing of their objections generally; take, for instance, the Poor Law, where no appeal can be made without specifying grounds of appeal; taking that as an analogy, it has been proposed by several gentlemen, that some such regulation as that should be laid down; do you think it could be done advantageously?—It certainly does accord very much with my own notion of what might be the practice before Railway Committees in this House; I think both parties sending in their declarations would be a good plan; Mr. Richardson suggests, that you are now bound to state the objections in the petition; that is loosely done, but if another more definite statement were required to be made, it would be better.

154. In short, to state every possible objection?—Yes.

155. You do not think it possible to make these statements more formally?—If it could, it would be a great object gained.

156. It is in the power of the Committee to say to parties "there is such and such an objection before we go to the others;" suppose that were done, might you not call upon the parties, supposing these questions of Standing Orders were to be discussed before the Committee on the Bill, to define them before the merits and the preamble were gone into?—I think it might be done, and if you can get the parties to define what their case is, and allow them to be heard upon that case only, I think that would be an object gained.

157. Would it not be better that the objectors should strictly define the points on which they intend to object?—Yes, and if you can compel them to do that, it would be desirable to do so.

158. Is it a thing worth attempting?—I think it would be; viz. to require that the parties objecting should give in a statement of their objections, and with power to the Committee to call for a more defined statement.

159. Do not you think that loose and undefined statements would lead to very great consumption of time by the arguments of counsel?—Yes, I think it likely.

160. Taking the case of the Standing Orders, would it not be easy to say that in every instance in which parties opposing the Bill complained as to the

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Standing Orders, they should specify in their petition what those particular points were?—Yes, if you allow the Committee on the Bill to investigate Standing Order points; but the Standing Orders state distinctly, that no Committee on a Bill shall be at liberty to inquire upon Standing Order points.

161. I am assuming that some alteration shall be made; then would there be a difficulty in forcing parties who oppose the Bill specifying in their opposition those points as to which they meant to oppose?—It would be extremely advisable if you gave the Committee on the Bill a discretion of investigating these Standing Order points, that the parties opposing should state beforehand what they meant to oppose.

162. Would you approve of giving the Committee on the Bill power to go into Standing Orders?—I prefer very much the system as it stands now; but the question put to me was, whether such a question as that which was raised in the Cambridge and Lincoln, with reference to the section, should be at all discussed before the Committee on the Bill.

163. Are you not of opinion that such a question would be better discussed before the engineers, and before such a Committee, than before a much less solemn one?—I think in that particular case the Committee on the Bill has probably better means of arriving at the truth.

164. It is a question of fact that might come before the Committee on the Bill?—Yes.

165. Mr. *Greene.*] Does not that open the door to still greater labour to the Committee on the Bill?—Every additional matter of that kind will involve considerable delay by the discussion that may arise, and more particularly that question of the discrepancy on the section; we know that an engineer may lay down a line on the slope of a hill, and another in checking the levels may not take precisely the same line, and there will be a discrepancy; possibly both may be right, and you will have a vast amount of evidence on both sides; you cannot bring the land there to prove which is right, and no doubt there would be plenty of discussion upon it.

166. Is it not of the greatest importance that before the measure comes into the House at all that it should be satisfied the plans and sections are correct?—Certainly.

167. The result of that would be that a very large portion of expense to the parties and waste of time to the House would be saved?—That is so; I understand the question to be this, whether the Committee on the Bill would not be the more solemn tribunal to take these questions into consideration; I am bound to admit that it is; I think the Committee on the Bill perhaps has more means at its disposal to arrive at the truth, but I would rather trust the other Committee to do it; I think it is of infinite importance, when the parties go before the Committee on the Bill, that data should be supplied the Committee to legislate upon; I think that simplifies the case; I myself have seen that exemplified in the case of the Cambridge and Lincoln.

168. Mr. *Greene.*] Do not you think it would be highly inexpedient to throw additional labour upon Committees upon the Bill?—Somebody will have to undertake the trouble, whether on the Petition or the Bill; the labour has to be done.

169. You think it desirable, as a general rule, to keep apart and distinct the provinces of the Standing Order Committee and the Committee on the Bill?—Yes, I do, indeed; I would leave the Committee on the Bill the simple question of the preamble and clauses.

170. *Chairman.*] In the Committee on the Bill, is there not a large portion of time disposed of in ascertaining what traffic might be expected?—Yes.

171. Did you ever see that satisfactorily proved before the Committee?—A great deal is taken upon supposition; the plan, however, generally, is, to station persons to investigate the traffic and to give evidence upon it.

172. It is, in fact, of a very vague description?—It is vague; on the other hand, the knowledge that honourable Members have of the position of the towns, generally speaking, enables them to judge from the evidence whether there is likely to be enough traffic to support a railway.

173. A great portion of the time of the Committee is often employed in investigations of this kind brought before them?—No doubt.

174. Do not you think it would be possible for some person appointed by the House, or some public board, prior to the presentation of the petition, to be able

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to state to this House what might be a fair computation of the traffic; in point of fact, whether, if a railway is to be made from A. to B., there is a sufficient traffic to make it worth while?—It would be an inquiry by one tribunal instead of another, there is no doubt, either could make it.

175. The evidence would be equally vague in both cases?—Yes; but, I think, practically, the delay in investigating traffic has not been lately very great; it is now generally assumed, if there are two towns of considerable population, a railway between the two will be a good thing; and, if parties are ready to make it, I do not think the Committee inquire a great deal into the traffic case.

176. Still, there is a great deal of time in the investigation, supposing there were a determined opposition?—Yes.

177. Might not that investigation very well go on during the progress of the railway, in the early part of the summer?—The investigation of traffic?

178. Yes; before a competent officer; upon that question, is it not the fact, that the way in which you prove your traffic, part of your case, showing necessity for a railway, tends to create an impression in favour of the Bill, if you prove your traffic?—No doubt, it is part of my case; your seventh resolution is, that the report from the Committee shall state the sufficiency or insufficiency of the present means of communication between the termini and the present amount of traffic.

179. The parties you put into the witness-box to prove the traffic, technically, are not often very long in that evidence?—Unless objection is taken to it, upon cross-examination.

180. The parties who prove the traffic are the parties who prove the railway ought to be made, that there is a great deal of business to be done between certain termini?—That forms part of the case; and we produce other parties, such as manufacturers and traders, to prove the advantage of expedition, and so forth.

181. And they state 60,000 tons of this thing, and 60,000 of that?—Generally speaking Committees do not seek for any thing more than a tabular statement; we call the secretary of the company, or an accountant; he is asked generally the question, have you adopted such and such means of ascertaining the traffic, and are these the results?

182. Do you think it would make upon an average three hours' difference?—I think where parties are disposed to dispute the traffic it takes a considerable time.

183. How many days, in point of fact, upon these great lines, have you been fighting on the question of traffic?—I cannot answer that question off-hand; no doubt it is sometimes made one of those points upon which considerable contests take place; we took exceptions to the traffic in the London and York; it was part of the opponents' case to show that there is not enough traffic to require a railway.

184. Therefore if you abstract from the consideration of the Committee upon the Bill that portion of the evidence, you would deprive them of one of their great elements for arriving at a conclusion as to the necessity of the measure proposed?—That is my view; it is an essential part of the preamble of the Bill.

185. Might it not, in the early part of the summer, supposing that Parliament thought fit to appoint a proper officer for such matters, might it not be brought into consideration?—Yes, but if you do it this summer, it is a virtual postponement of the measure for a year; if you require it to be done one summer, as a preliminary, the Bill cannot be brought in before the next.

186. The traffic case is one that might very soon be got up?—It requires about a fortnight, to ascertain the traffic on the different roads and canals.

187. It is always taken in the month of October; might not the investigation take place earlier?—It is generally done in October.

188. Might it be done at an earlier period?—After the notices are served upon a line, the promoters may get the traffic case up easily at any period that they like.

189. Do you think that there is the least use in that part of the report which calls upon parties to prove what amount of income is required beyond what is supposed necessary for the maintenance of the line?—I do not know that it is essential at all; the question is, whether there is sufficient to maintain the Railway or not.

190. You think that a written scheme put into your hands would save time in the House of Commons, and devolving the labour of the Standing Order Committee upon a single person, that would save time?—Referring it to one fixed person? yes, if he were competent to do the duties, but I doubt his having time to do so.

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191. Would it not promote greater uniformity of decision than exists now upon the Standing Order questions?—No doubt, if you have one judge instead of three or four, you secure greater uniformity; but as to time, I doubt very much whether he will get through the work.

192. Unless he began earlier?—Unless he began earlier; we do not get our answers to the applications till the middle of January from the different owners; then they would require some time if they intended to oppose.

193. Mr. *Ewart.*] If the House of Commons said it shall be so, would not they begin their work much earlier?—I have stated my difficulty in that respect; but my own opinion is this, that if the Committee on Petitions had the power of deciding the whole case upon Standing Orders, instead of its being referred to the Standing Order Committee, you would then get through the work in about one-half of the time that you do now; the fact is this, that where parties oppose before the Sub-committees on Petitions, those Committees have no discretion; the most minute errors must be reported as non-compliance with the Standing Orders, and the opponents multiply a vast number of these, in order to prove the general incorrectness of the plans, and in the hope that the Standing Orders will deal strictly with them; but if the Committee on Petitions had power to exercise discretion on these questions, and if they had the power of awarding costs, I believe you would have Standing Order oppositions reduced to a very small compass, and you would get through the work more easily, and you would not have a repetition of what has taken place this Session. In one case this Session, Sir John Yarde Buller's Committee expressed an opinion, that a particular opposition was frivolous and vexatious; but the Bill was thrown out, nevertheless. This was the case of the Birkenhead and Chester Railway; I believe if Sir John Yarde Buller, who heard the evidence, had had a discretion, and I speak in his presence, he would not only have passed that Bill, but awarded costs, but the Standing Order Committee, who did not hear the evidence, were led by an ingenious statement of the opposing agent to attach more importance to the case than it deserved.

194. *Chairman.*] How long was the Cambridge and Lincoln before the Committee on Petitions?—That was not opposed.

195. I suppose it went through in one morning?—About half a morning; I believe that where there are good grounds of opposition on Standing Orders, whereby opponents think they can throw out the Bill, they will avail themselves of the opportunity of doing so; I do not state that Mr. Escourt's Committee is one bit more strict than the other, for I believe if he had sat and heard the evidence upon the Chester and Birkenhead case, he would have allowed it to go through. What I complain of is this, that the Sub-committee has no discretion; they hear the whole of the facts, and simply state the fact that the Standing Orders have not been complied with; and I think that this practice gives such a handle to opposition, and excites so many hopes of success, that as a consequence, you have monster petitions presented upon trifling matters, and occupying a great deal of time unnecessarily.

196. Do not you think the probable tendency of so many rival schemes will cause arrangements to be made between different parties that they will not attack each other upon the Standing Orders?—That is very often done; I confess myself a great particeps on such occasions.

197. Is that a growing practice?—No; this Session has proved the very reverse; the oppositions have exceeded every thing we have known heretofore.

198. Was there not a compromise in the case of the London and York Railway?—I had a petition, in that case, that would reach from my office to Westminster Abbey, but I entreated the parties to withhold it, considering it as a miserable system of warfare, and they did so; it is possible the London and York Bill might have been turned out, for what I know; but I distinctly stated my own opinion, founded on experience, that it ought not to have been so, for I defy any man living to find a line of 200 miles where there are not errors.

199. If the investigation with regard to Standing Orders were put upon another footing, would that not induce these arrangements to be made and compromises?—I do not think compromises would take place where there were known grave flaws; if there had been in the London and York case any grave flaw that ought to have stopped the Bill, the parties would not have compromised; those petitions are too often presented upon chance, the opponents alleging every possible error they think they can substantiate, and thus a lot of these trifling points are accumulated, and the time of the Sub-committees wasted in their investigation.

200. Does

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200. Does not a very great evil exist at the present moment from the fact of other parties being at liberty to be heard besides the parties interested?—The parties interested we should prefer to be heard alone.

201. Will you have the goodness to describe the proceedings in the House of Lords as to proving compliance with the Standing Orders?—Upon Railway Bills there is a Standing Order Committee, and all other opposed Bills have also to go to the Standing Orders Committee.

202. Who is the Chairman?—Lord Shaftesbury.

203. The standing Chairman of Committees?—Yes; if it is opposed there must be a quorum; if unopposed, Lord Shaftesbury takes it alone; he never allows a party to be heard without a distinct interest, and the consequence is, that successful Standing Order petitions are hardly known; of several presented this year scarcely one succeeded; there is a general feeling in that House that where a Bill has gone through this House they should be lenient on Standing Order points.

204. That class of objections must of course mostly be disposed of?—Quite so.

205. With regard to the Great Western, Ireland, was there any opposition to that Bill upon the Standing Orders in the House of Lords?—Yes.

206. Was the same point taken in the House of Lords as taken in the House of Commons?—I do not know.

207. Do you know whether an alteration as to the amount of land that was to be taken, and so forth, had a very important bearing upon the Standing Orders as to that Bill?—I do not know; the known feeling of Lord Shaftesbury would induce me to say to parties urging a vexatious opposition, "do not do it, you will get no good by it;" and I believe if Committees here had an equal discretion with Lord Shaftesbury, the same result would follow.

208. In Bills in the House of Lords, are they not all examined by Mr. Palk?—Yes.

209. I suppose you may infer, unless there is anything very extraordinary in them, they will not be rejected by Lord Shaftesbury?—No; for, in point of fact, before the Bill has reached the House of Lords, Mr. Palk and Lord Shaftesbury and ourselves understand each other upon all the Bill.

210. I am saying, that there is Mr. Palk as an adviser as well as Lord Shaftesbury himself, so that there is a protection in the House of Lords, that there is not in the House of Commons?—Yes.

211. Do you know whether his attention is directed to the Standing Orders as to other points of the Bill?—I do not think that he interferes much in the Standing Orders Committee.

212. Mr. *Ewart.*] Do you think the tribunal in the House of Lords is better, inasmuch as it is not divided into two?—Yes; and I believe every one of my colleagues concurs with me in that opinion.

213. You recommend, under an application to the Committee on Petitions, giving it a more extended power of decision, and enabling it to impose costs?—Yes; that the Committee upon Petitions should decide upon every point, and if parties promote a vexatious petition, they should fix them with costs.

214. In fact, not to hear the question only, but to decide?—Just so.

215. Mr. *Greene.*] If you had five or six Committees of that general description, would you not very soon hear that one Committee would have got a reputation for severity, and another for leniency?—Where there are various tribunals, they will not always be precisely the same.

216. Would it be better that they should be judged by one tribunal?—One Committee might take all the opposed cases; I think that if you had one Committee for opposed cases, and opposed cases only, leaving the other Committees to be going on with unopposed cases, the oppositions would be greatly reduced; I would state, and I speak in the presence of members of one of those Committees, and I think they must concur with me, that the loss of time in frivolous Standing Order objections is almost beyond belief; I have been engaged for a Company at an expense of 1,000 *l.* a day waiting to prove their Standing Orders, but without the opportunity of so doing, in consequence of the inability of the Committees to get through with those petitions.

217. If there was only one Committee instead of five, would not the delay accumulate?—I say these oppositions have been owing to the circumstances I have stated; if the Committee on Petitions had the power to award costs, and to decide the question off-hand, the oppositions would diminish.

218. Supposing 300 errors were discovered, and that the parties showing the errors would be liable to costs if the errors were small?—I mean to say opponents

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nents may produce a great number of errors, and the Committee may think these errors are not very injurious, and not a proof of great want of diligence, and they will not in consequence throw out the Bill.

218.* Would you give them a discretion in that case?—I would give them a discretion to judge for themselves, whether they thought it a frivolous petition or not; there are many paltry and vexatious objections, although capable of being sustained.

219. In point of fact you are for one tribunal; do you think that tribunal better if composed out of the House of Commons, or an officer of the House of Commons?—My attention was only drawn to this subject to-day; I should prefer the inquiry not being so early as is suggested, but whether it be before an officer or a Committee does not matter; provided both are competent, there must be the power of determining somewhere.

220. If the compliance or non-compliance with Standing Orders were to be decided by an officer of the House, do you think the public would have the same degree of reliance as they have now?—It all depends upon the officer; if he acquired a reputation for deciding properly, the public would be satisfied; all of us would be satisfied with such a man as Mr. Palk; I think you would find the officer to whom these matters were entrusted would acquire a reputation which would give confidence.

221. Mr. *Ewart.*] Is not it so virtually decided in the House of Lords?—It is generally decided by Lord Shaftesbury; but sometimes we have six or seven peers upon a sitting; Lord Shaftesbury, however, has great influence with them in deciding questions, and the practical result is, you hardly see such a thing as a Standing Order opposition; they do not attempt it in that House.

222. You attribute that to the power of the tribunal?—I have no doubt about it.

223. Mr. *Greene.*] Might there not be an advantage in allowing costs, not only for Committees on Petitions, but Committees on the Bill?—I do not think the case is precisely similar; every individual aggrieved has a right to oppose the Bill.

224. If there were, in point of fact, a *bonâ fide* opposition in the first case carried on in a vexatious manner, might it not be expedient to give the Committee power to give costs?—Yes, if you can define what is vexatious; the manner of counsel may be vexatious; it is difficult to determine what is vexatious.

225. *Chairman.*] The petitioner might be blameless; but he might get a tiresome, obstinate counsel, and he might be vexatious?——

226. Mr. *Greene.*] Supposing the House of Commons so disposed to wave their right in deciding the Bills in their own House, do you conceive there would be any difficulty or objection that occurs to you, to an arrangement being made between the two Houses of Parliament, that one-half of the Bill should originate in the House of Lords, and the other half in the House of Commons?—If the House of Commons were prepared to concur in that arrangement, I do not see any particular inconvenience in a Bill beginning in the one House or the other.

227. Would there not be the advantage in supplying the Lords with Bills in the early part of the Session, whereas at the present moment the whole stress of the Bills falls upon the Commons at the beginning, and the whole stress of the Bills upon the Lords at the end of the Session?—In that point of view, your suggestions might be useful, but it would be inconvenient to counsel and agents engaged.

228. As far as the two Houses are concerned, it would be a division of labour?—Yes, though it would create an appeal from the Upper House to the Lower, it would create a great division of labour.

229. From your experience before the Committee on Petitions, do you think it would be a complete plan, unless the Examiner should have the power of sending for witnesses?—He would be obliged to do that in opposed cases.

230. Would he not have the means of taking all the necessary evidence, and saying to the parties, either promoting the Bill or opposing it, "If you cannot support your allegations by your petitions, I shall not consent"?—You have to produce, in most opposed cases, the plan and sections from the clerks of the peace; the clerk of the peace will not part with these out of his custody, unless by an order of the House, and unless you have means of bringing up the plans, you cannot prove your allegations.

231. You mean to say, the clerk of the peace must always attend before the Committee

Committee on Petitions now?—Or send somebody up with the plan and section; at present he is under a penalty if he parts with it from his custody; unless we have an order, we cannot get an attendance with the plan and section.

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232. How do you proceed to prove the accuracy of your plans?—We prove that by oral evidence, without the document itself; but if an allegation of error is raised upon them, we say it must be proved.

233. Might not it be provided for by saying that the official Examiner must have the power of delegating that examination to such parties as he might select?—I think the delegation to parties would be difficult.

234. That which causes the clerk of the peace not to part with the documents is the authority of the House of Commons?—There is an Act of Parliament.

235. Would there be any objection to shortening the period of ten days required between the presentation of the petition and the sitting of the Sub-committee?—I think it would be desirable if it was altered; I think seven quite enough.

236. Do you know any thing about deposits in Ireland?—The deposit of plans and sections I know, generally.

237. Have very strong representations been made by the Post-office against the deposit of plans in the Post-office in Ireland; do you conceive there is any other public office where the deposit should be made?—I am not sufficiently acquainted with Ireland to answer that question.——(Mr. *Richardson.*) We do with the schoolmasters.

238. *Chairman.*] The Post-office complain of an enlargement of their duties, having these deposits made at the Post-office in Ireland; what I want to know is, if they were not deposited there, where they could be deposited; can you answer that question?—No.

239. (To Mr. *Ellicombe.*) You have heard the examination of Mr. Burke; do you concur in all he has said?—Yes.

240. Have you any observations to offer?—No.

241. (To Mr. *Richardson.*) Do you concur with Mr. Burke?—I quite concur with Mr. Burke.

242. Do you think it would be desirable, with regard to Scotland, to require parties to send in their objections rather more speedily than they now do; that is, to shorten the time allowed to the parties?—Especially if you appointed an officer to take cognizance of Standing Orders before the Parliament met; you could abridge the time almost entirely.

243. There is considerably more time to Scotland than to England?—Fifteen days.

244. And England 10?—Yes. The course of posts between many of the northern parts and London is uncertain, and is four or five days sometimes.

245. You can get your answers between this and Edinburgh, upon the fourth morning?—Yes; two nights going and two nights coming; upon the fourth day.

246. Two clear days in fact?—Yes; at Wick, where I had to correspond regarding a Bill last Session, it was four days going and four days coming; and during some snowy weather five days.

247. You think 10 days would be sufficient?—Yes; I should think so, certainly.

248. Have you any observations to make in addition to Mr. Burke?—No.

249. You concur in what he has said?—Yes.

Mercurii, 23° die Julii, 1845.

MEMBERS PRESENT:

Mr. Pakington.	Mr. Loch.
Sir Robert Ferguson.	Sir John Yarde Buller.
Mr. Estcourt.	Mr. Pringle.

THE RIGHT HON. LORD GRANVILLE SOMERSET, IN THE CHAIR.

Sir *Charles Denham Orlando Jephson Norreys*, Bart., a Member of the House; Examined.

Sir *Charles Denham Orlando Jephson Norreys*, Bart., M.P.

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250. *Chairman.*] WILL you have the goodness to state whether, in your opinion, the Post-office in Ireland is the most convenient and best place for the lodgment of plans, and so forth, under the directions of the Standing Orders?—I see

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I see no better place than the Post-office, but I think some other arrangement must be made in respect of the remuneration to the postmasters.

251. Do you believe, that as far as publicity and easiness of access are concerned, the Post-office is the best place?—Decidedly, if the plans must be lodged parochially.

252. Assuming that the Post-office were objectionable on account of other considerations, to what other local office or authority could you entrust the reception of the parish plans, and their exhibition to any person who might have occasion to resort to them?—The only two places that occur to me are the clerks of the petty sessions, and the barracks of the constabulary.

253. Do you conceive that the constabulary are sufficiently spread over the country to afford proper receptacles?—I should think quite sufficiently so.

254. Would there be any feeling on the part of the inhabitants, hostile to their going to the constabulary barracks to consult the plan?—I should think not; I should think the classes who would be likely to refer to the maps would have no objection to go to the barracks to do so.

255. Are the constabulary spread so evenly over the surface of Ireland, as to render their barracks a convenient receptacle in every district?—Certainly; but I should think nearly every person has business in the market town in his neighbourhood occasionally, and that placing the plans in every country district would be very unnecessary; placing them in the nearest market town, I should think, would be quite sufficient.

256. The constabulary are constantly changing, are they not?—They are.

257. Therefore the party to whom a plan was delivered in the month of October, may possibly be elsewhere in the month of January following?—Certainly; besides, the description of men in the constabulary are not men that you would leave plans with; they are not accustomed to it, and would not keep them clean or neatly, or in the state in which plans must be kept to be intelligible.

258. Upon the whole, do you think that there are very strong objections to the constabulary being the parties to receive the plans?—Without going so far as to say that there are strong objections, it is not the place that I would select.

259. You prefer the Post-office very much?—I prefer the Post-office; but I wish to state, that I think there must be some consideration in respect of remuneration, because the postmaster of a town where plans were deposited refuses to show them to any person unless he was paid for doing so; now, I apprehend, that the object of depositing plans is, that the public may have the fullest and most easy access to them, in order to ascertain how far they are affected by the line of railway, and if they are obliged to have to pay for having that power of examining, whether they are affected or not, I am afraid a great deal of inconvenience will arise.

260. Are you not aware of the 16th chapter of the 1st of Victoria bearing upon this question?—That clause requires, that it should be part of the duty of the postmaster.

261. And it also provides, that when a search is made, he is to receive a certain remuneration for his trouble?—It does.

262. And by a subsequent clause, the Post-office keeper would be finable if he declined to exhibit those plans when required to do so?—Yes, but I consider it objectionable that persons whose property is about to be affected in spite of them, and against their own wish, should be obliged to protect themselves in this manner, by paying for an inspection of the plans, to see whether they will be affected or not.

263. You think that, considering the hardship that may be inflicted upon persons by compulsorily taking their property from them, they should not be put to any expense to ascertain the particulars?—Certainly not.

264. How would you pay the parties with whom those plans may be deposited for their trouble?—Inasmuch as the company who undertake the work do it as a question of profit to themselves, and seek power to take the property of others for their own benefit, I think they ought to be the parties who should pay the postmaster, or whatever person the plans may be lodged with.

265. Supposing parties were allowed to search, without paying anything for that search, do you not think it would be likely that many persons would go to look at the plans who have no interest in the matter?—I cannot fancy any such extreme desire to see maps and plans.

266. You would not be afraid of that being the case?—No person would probably

bably go, except those who either were affected or were afraid they would be affected, and in either case it strikes me the company are the parties who should compensate the person with whom they are deposited for his trouble.

267. You think there would not be any great chance of parties, from idle curiosity, annoying the persons with whom the plans are deposited, very seriously?—Not the slightest.

268. Assuming that neither the postmasters nor the constabulary of Ireland were the parties with whom this deposit should be made, is there any other authority to whom you would entrust the deposit?—There is also the petty sessions' clerk.

269. Is he a permanent officer?—Yes.

270. Are the petty sessions' clerks equally distributed over Ireland, so as to be a good depository for these documents?—They may not be actually parochial, but they are at short distances from each other.

271. Supposing the magistrates happen to change in a neighbourhood, have they not the power of changing the clerk?—I believe it is a doubtful point, whether the petty sessions' clerk has not a vested interest in his office.

272. At all events it is not often done?—I have not often known of its being done without cause.

273. They are only changed in the same way that a postmaster may be changed?—Yes.

274. Do you think they have their office in such order, that they would be eligible persons to entrust this to?—Yes, I think the petty sessions' clerk must be much accustomed to the general handling of papers, and would keep them in order, and that he would do so better than the constabulary.

275. Would he be better than the postmaster?—Not necessarily better in that respect. The postmaster also must be accustomed to regularity in the management of papers.

276. It is represented by the Postmaster-general, that in Ireland a great number of the post-offices are very miserable hovels, very insufficient places for the secure deposit of plans?—I am not aware that they are so; in my neighbourhood the post-offices are quite sufficient for the purpose.

277. Upon the whole, do you suppose that the petty sessions' clerks are a higher class of men than the postmasters?—I am not aware of that fact; I know that in both classes there are some very respectable, and others apparently the reverse, and therefore I can give no general opinion.

278. There would be no objection to parties going to the petty sessions' clerk to look at those matters?—None.

279. There is no general feeling amongst the farmers and other persons against them?—None.

280. Could the chief constables of baronies be rendered available for this purpose?—If you consider that a baronial distribution of plans is sufficient, you have the high constables of baronies to make the deposit with, and you have also the clerks of unions, if you are satisfied with larger districts than parishes.

281. Those are very large districts are they not?—A union may contain eight or nine parishes or more.

282. How large are the baronies?—The baronies may be large or small; some baronies are equal to small counties;—from what I have seen of the clerks of unions, as far as regards regularity in keeping papers, and the being accessible at all times, they appear to me by far the most eligible class, if you are satisfied with the large districts which the Poor Law Unions would form.

283. Some of those districts are very large?—The union in which I am, has about 150,000 or 160,000 acres; I suppose it extends 20 miles by about 15 or 16, at a rough guess.

284. A diameter of 20 miles?—Yes.

285. Mr. *Pakington.*] Which are the most numerous, post-offices or police-stations?—I should think police-stations are.

286. Mr. *Loch.*] Should you say that the unions were too large for the purpose of depositing plans?—No, I should say not; I think the unions would make very good districts for depositing plans; I think that, generally speaking, the workhouse is placed near the centre of the union, near the principal town of the union, and that the business of every individual brings him frequently very close to the union workhouse, near which the clerk would probably reside. It strikes me that if you do not consider it requisite to maintain the parochial district, the union district would be as good a district as you require.

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287. *Chairman.*] You prefer the clerk of a union to the chief-constable?—Decidedly.

288. You think there would be no objection on account of their sometimes getting into difficulty with their neighbours?—Certainly not; because it is not the clerk who is in difficulties; the objection is only to the general system.

289. Is he resident near?—He is generally resident near the workhouse; he must have an office where papers of great importance are contained; he must be in the habit of keeping and referring to documents which bear a great resemblance to plans in respect of size, such as the documents sent down from the Poor Law Commissioners' Office; he must be in the habit of handling papers of this kind, which is very important in showing plans, without tearing or defacing them, and keeping them clean; so that I do not know a more eligible person than the clerk of the union.

290. Would you think that, upon the whole, he would be more eligible than the postmaster?—To my mind he would be more eligible than the postmaster,—you give up the parochial system of lodgment.

291. The question is, whether, upon the whole, the Post-office being more like a parochial distribution, is not more eligible for general convenience than the union, which is a very large district: do you think the union houses are so numerous and so much in the habit of being visited by the parties who are likely to be affected by railways, as to render them a convenient place of deposit?—The public must have constant reference to the clerk of the unions in reference to the rates, for the purpose of ascertaining how they are rated, and other matters relating to the rates, or ascertaiuing various points connected with the union. The system is new amongst us, but I apprehend that it is gradually producing a habit of reference to the clerks of the unions; the farmers come in about contracts for potatoes and different things, and they come in to speak to the clerk of the union about their rates, and how their neighbours are rated, and they come in to see their frieuds or neighbours who may be in the workhouse, so that there is a general tendency to visit the workhouse.

292. You have no other observations to offer upon this point?—Not upon that point; but I should like to make an observation on another point to the Committee with respect to the crossing of canals and rivers.

293. Do you conceive that the present Standing Orders do not provide a sufficiently accurate description of the way in which canals and rivers are to be passed by projected railways?—No.

294. Will you mention in what particulars you think the present Standing Orders are deficient?—I think the proper making of these plans and sections, which the Standing Orders require to be laid before the House, is not sufficiently attended to by engineers in bringing forward their projects. They construe the term "plans and sections" to mean merely a section showing the line of the general surface of the ground, and the line of the railway. The consequence is, that the public gain no information as to how the passing of a river or canal is to be effected. Several of the engineers have considered it quite sufficient to put down that the river or canal is to be crossed by arching for so many yards, but they give no details as to how that is to be done; and even up to the period of the Committee, in some cases they have not made up their minds or prepared themselves to give an answer as to how this is to be effected.

295. What would you suggest as an improvement upon the present plan?—I would suggest, that in all cases where a river or navigable canal is to be passed, may in all cases where any arch beyond the span of 15 feet would be requisite, the engineer should be required to have the details of the mode in which the bridge was to be built, showing the height and span of the arches, the size and position of the piers, and so forth, lodged at the time that the other plans are lodged, and drawn on the scale which the Standing Orders require for roads and highways. I would on this subject refer to the case of the Nottingham and Lincoln line, which passed this Session. Five or six canals or navigable rivers had to be passed by that railway, and all the information which the public received as to the mode in which they were to be passed, was the height of the railway itself above the canal or river. As to the number of arches, or the height of the arches above the water, or their width, or the number of piers that were to intercept the navigation, no information whatever was given; nor in the case of their passing the basin in which the barges collected near Nottingham, did they give any information as to the extent to which that basin was to be affected by the passing of the railway. But I would not confine

confine this greater accuracy of detail merely to the question of canals and rivers. In the case of the Sheffield and Chesterfield Railway, the railway was to be conducted through Sheffield on arches to the extent of about 2,400 yards; streets were to be crossed, and markets were to be crossed by the railway, and all the information which the public received as to the mode in which it was to be effected, was simply that there was to be "arching for so many thousand yards." Up to the period of the Committee, there appeared to be a doubt amongst the engineers whether this should be effected by solid arches, or by cast-iron girders on cast-iron pillars; they did not appear to have made up their minds as to the width of the arches, nor as to whether the railway should be on cast-iron girders or on solid masonry arches. The railway, too, had to pass through the hay-market at a height of about twenty feet; and of course there was considerable danger of fire; which the promoters admit could easily be obviated by having the railway covered in for a certain length, and they offered to do so; but to have this cover was no part of the plans on which they required the consent of the Committee to get the Bill.

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296. You think that where a railway will give the public inconvenience, as by crossing a hay-market or any other place of congregation or business, the mode in which it is to be done ought to be specified beforehand, so that the public may know it?—Decidedly.

297. But even as it is now, the public would be aware that the railway was intended to go across the hay-market at Sheffield, would they not?—They were aware that the railway was to cross the market, but the amount of inconvenience which would result could only be known by knowing the details of the plan.

298. You think the particular way in which that was to be effected, ought also to have been made public?—I think so; and I say that by a correct interpretation of the terms "plans and sections" that ought to have been done; but by custom an interpretation has been given to those terms which their real meaning does not bear; it has, however, become so common as now to be the general interpretation.

299. You think the terms now employed, do involve the giving that information, but that custom has restricted their application, instead of giving them their full meaning?—Yes; take the case of a road; if an engineer were employed to give in a plan and section of a road, the person who employed him to do so, would expect that some detail of the bridges by which he intended to cross the rivers should be given; it is not merely the surface of the road that would be required; and I do not see why this detail should not be required from engineers in respect of railway transactions, as well as others.

300. You perhaps are aware of the general Act which was passed this year with regard to the passing of roads, and the construction of bridges, when they are passed by railways?—Yes.

301. Do you think that such regulations as those ought to be applicable to crossing canals and navigable rivers, as well as roads and highways?—No, because the Act of the present Session, if I remember it right, is positive and unvarying in every case. I would not require that, because every case in engineering should depend upon its own circumstances; but what I claim for the public is this; that an engineer who brings forward plans for the formation of a railway should give the public the benefit of the fullest information as to the mode in which every part of the line is to be effected, in order that the public should have an opportunity, not only of judging of the general line which is to be taken, but also of the amount of engineering skill which has been applied to the laying down of the line, because the public have the greatest possible interest in the skill which is employed in laying down a railway. In the case of a road, if a road is badly laid out, there is a little more draught or a little more inconvenience, but there is no telling the amount of danger and inconvenience which arises to the public from the want of skill in laying out a line of railway; the fact is, that the engineers at present appear to have so much to do, they merely send out their assistants to make a rough survey of the line of country, leaving all those details to be settled after they have got the Bill through Parliament.

302. You are probably aware that the answer that would be given to that observation is this, that if the working plans and minute details of all those schemes were necessary to be laid before Parliament, they would cost such immense trouble and involve so much expense that it would be a great hardship to parties to involve them in that expense before Parliament gives their sanction

Sir *Charles Denham Orlando Jephson Norreys*, Bart., M.P.

23 July 1845.

to the scheme?—I see no hardship upon them. They come forward for their own purposes, to ask liberty from Parliament to take possession of any property they want. Surely the public have a right to expect from them that they shall come before Parliament prepared as to the mode in which they intend to carry those plans into effect; nor when a railway is to go a mile and a quarter through a town like Sheffield, can it be called a minute detail to show how the town is to be crossed; a consideration of this importance cannot be called a mere detail.

303. But you are aware that that would be the answer that would be given to your observation?—I have no doubt that answer would be given, and is practically given, but I do not admit the justice of it.

Sir *Robert Ferguson*, Bart., a Member of the Committee; Examined.

Sir *Robert Ferguson*, Bart., M.P.

304. *Chairman.*] HAVE you heard the evidence of Sir Denham Norreys?—I have.

305. Do you concur generally with him upon the points which he has urged upon the Committee, as to the place where plans should be deposited for parochial maps, under the present Standing Orders?—I concur generally with him, that if there are such objections to the post-offices, that they cannot well be adopted; I think, upon the whole, the best place would be the clerk of the union.

306. From your very extensive experience, do you think the postmaster or the clerk of the union is the best person with whom to deposit those plans?—The post-offices are considerably more numerous, and people would have to go further to the clerk of the union; but from the fact of his being constantly in communication with farmers, I am almost of opinion that he might, perhaps, be better than the local post-offices for that reason.

307. On the whole, do you think that it would afford the public fully as much convenience as they now have, and that the clerk of the union would be a safer person, taking the whole country throughout, to receive those plans, and to exhibit them, than the postmaster?—I would not say a "safer" person, because I think, upon the whole, perhaps the post-office would be the best; I do not see a great deal of difference between the two; I do not think you could adopt the police station, because, in the first place, the police are often changed, and, in the next place, there is no one person of the police who is constantly at home, so as to be personally responsible for the plans; I do not think you can adopt the collector of the county cess, or the high constable, as he is called, because they are not necessarily resident within their division, and they do not keep an officer; nor is it the custom of the people to go to their houses for any purpose; with respect to the clerks of the petty sessions, their districts are often very large districts indeed, so that that might be equally inconvenient.

308. Are the clerks of petty sessions clerks of larger districts than the poor law unions?—No, not larger; but in many cases they are very nearly as large.

309. Are the poor law unions very large?—I should think not; in my neighbourhood there is generally a distance about 12 miles from workhouse to workhouse.

310. Forming a radius of about how many miles?—About six to nine miles; the workhouse is near the market town, and the better class of farmers, who are many of them guardians, constantly come there; so that it would give them facilities in examining those plans.

STANDING ORDERS.

PRIVATE BILLS:

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ABSTRACT of STANDING ORDERS relating to the passing of PRIVATE BILLS through The HOUSE of COMMONS.

STAGES OF THE PROCEEDINGS.	NOTICES AND APPLICATIONS.	DEPOSITS.	INTERVALS TO BE OBSERVED.
Previous to the commencement of Proceedings in The House.	No. of Standing Order. 15.—Notice in the London, Edinburgh or Dublin Gazettes [as the case may be], and in some one and the same County Paper, in Three successive Weeks of October and November, or either of them.	No. of Standing Order. 23.—Deposit with the Clerk of the Peace, Plans, Sections and Books of Reference on or before the 30th of November. 23*a*.—Deposit at Board of Trade, Plans, &c. on or before the 30th of November. 27.—Deposit with the Parish Clerks, &c. &c., Parochial Plans, Sections and Books of Reference on or before the 31st of December. 28.—Deposit in the Private Bill Office, Plans, Sections and Books of Reference on or before the 31st of December.	No. of Standing Order.
Additional under special circumstances: If Lands or Houses to be taken.	17.—Application to Owners, Lessees and Occupiers on or before the 31st of December.		
If a First Class Bill -	18.—Notice on the Church Doors of all Parishes affected on Three successive Sundays in October and November, or either of them.	17.—Deposit in the Private Bill Office, Lists of Owners, Lessees and Occupiers, Estimates and Declarations, before the Presentation of the Petition.	
If to make a Burial Ground.	20.—Notice on the Church Doors of every adjoining Parish on Three successive Sundays in October and November, or either of them. 21.—Notice to the Owner and Occupier of every Dwelling-house within 300 Yards of the intended Burial Ground on or before the 31st of December.	44.—Deposit in the Private Bill Office, Copy of Deed of Partnership, or of Subscription Contract; also a Declaration before Presentation of Petition.	
Presentation of the Petition for a Bill.	36.—Notice to Owners and Occupiers, if the Bill be to relinquish a work authorized by a former Act, before the Presentation of the Petition.	35.—Deposit in the Vote Office printed Copies of Subscription Contract, or of Declaration and Estimate, before the Presentation of the Petition.	102.—Petition to be pre sented within Fourtee Days after the Firs Friday in the Session.
Committee on Petitions	129.—Notice in the Private Bill Office of the First Meeting of the Committee, Seven clear Days. 130.—Notice in the Private Bill Office of the Postponement of the First Meeting of the Committee, One clear Day.	- - - - - - - -	104.—Between the Prese tation of Petition and t Meeting of the Comm tee, if an English Bi Seven clear Days; if Scotch or Irish Bill, T clear Days.
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ABSTRACT of Standing Orders relating to the passing of Private Bills through the House of Commons—*continued.*

STAGES OF THE PROCEEDINGS.	NOTICES AND APPLICATIONS.	DEPOSITS.	INTERVALS TO BE OBSERVED.
mittee on the Bill	No. of Standing Order. 135.—Notice in the Private Bill Office of the Meeting of the Committee, Seven clear Days.	No. of Standing Order. 136.—Deposit in the Private Bill Office a filled-up Bill, on giving Notice of the Committee.	No. of Standing Order. 117.—Between Second Reading and the Meeting of the Committee, Seven clear Days.
tponement of the ommittee.	137.—Notice in the Private Bill Office of the Postponement of First Meeting of the Committee, on the Day when Postponement is made.		
ommittal of the Bill	135.—Notice in the Private Bill Office of the Meeting of the Committee, Three clear Days.	136.—Deposit in the Private Bill Office a filled-up Bill, as proposed to be submitted to the Committee, One clear Day before the Meeting of the Committee.	
ort - - -	139.—Notice in the Private Bill Office of the Report, and Consideration of the Report, One clear Day. 141.—Notice in the Private Bill Office of any Clause to be brought up, or Amendments to be made on the Report or Consideration of the Report, on the Day previous to such Report or Consideration.	120.—Deposit with the Door-keepers, Prints of the Bill as amended Three clear Days before the Report is considered.	
l Reading -	142.—Notice in the Private Bill Office of the Third Reading, One clear Day. 141.—Notice in the Private Bill Office of any Clause to be brought up, or Amendments to be made on the Third Reading, on the Day previous to such Third Reading.		
ideration of Lords' endments.	146.—Notice in the Private Bill Office of the Consideration of Lords' Amendments on the Day previous to such Consideration.		

1.

I.

APPOINTMENT OF COMMITTEES.

1.

The Quorum has been reduced in this Order from Five to Three in all cases.

2.

The words "each consisting of Seven Members at the least" have been omitted.

3.

The word "Seven" has been substituted for "Eleven" in the second line, and the words "together with" for "including" in the same line.

Appointment of Committees.

STANDING ORDERS.

APPOINTMENT OF COMMITTEES.

1.

Committee on Petitions for Private Bills.

THAT a Committee be appointed at the commencement of every Session, consisting of *Forty-two* Members, of whom *Three* shall be a Quorum; and such Committee shall be denominated "THE SELECT COMMITTEE ON PETITIONS FOR PRIVATE BILLS."

2.

Sub-Committees on Petitions for Private Bills.

THAT the Select Committee on Petitions for Private Bills have leave to divide themselves into Sub-Committees, and to make regulations for the transaction of business.

3.

Committee on Standing Orders.

THAT a Committee be appointed at the commencement of every Session, consisting of *Seven* Members, together with the Chairmen of the Committee and of the Sub-Committees on Petitions for Private Bills, of whom *Five* shall be a Quorum; and such Committee shall be denominated "THE SELECT COMMITTEE ON STANDING ORDERS."

4.

Committee of Selection.

THAT a Committee be appointed at the commencement of every Session, consisting of the Chairman of the Select Committee on Standing Orders and of the Chairmen of the Committee and of the Sub-Committees on Petitions for Private Bills, of whom *Three* shall be a Quorum; and such Committee shall be denominated "THE COMMITTEE OF SELECTION."

5.

Committee on Opposed Private Bills.

THAT the Committee on every "Opposed Private Bill," not being a Divorce Bill, shall consist of the Members on The Speaker's List of that County or that Division of a County to which the Bill specially relates, and of such number of "Selected Members" not locally interested in the Bill in progress, and in such proportion, as the circumstances of each case shall in the judgment of the Committee of Selection require, of which Committee *Five* (including the Quorum of selected Members) shall be a Quorum.

Appointment of Committees.

6.

Committee on Unopposed Private Bills.

THAT the Committee on every "Unopposed Private Bill," not being a Divorce Bill, and which shall have originated in this House, shall consist of the Chairman of the Committee of Ways and Means, together with the Members ordered to prepare and bring in the Bill; and that the Committee on every "Unopposed Private Bill," not being a Divorce Bill, which shall have been brought from the House of Lords, shall consist of the Chairman of the Committee of Ways and Means, and of not less than *Two* other Members to be named by the Committee of Selection; and that the Chairman of the Committee of Ways and Means shall be the Chairman of the Committee on every "Unopposed Private Bill," not being a Divorce Bill; and that such Chairman and *One* of such other Members shall be the Quorum required to be present during the whole progress of the Bill through such Committee.

7.

Committee on Divorce Bills.

THAT a Committee be appointed at the commencement of every Session, consisting of not more than *Fifteen* Members, of whom *Five* shall be a Quorum; and such Committee shall be denominated "THE SELECT COMMITTEE ON DIVORCE BILLS."

8.

Members not to be added to Committee, except by special order.

THAT after any Committee on a Private Bill shall have been formed, no Members be added thereto, unless by special order of The House.

II.

DUTIES OF COMMITTEES.

9.

The words "and that the party affected by the non-compliance with the Standing Orders be cognizant of, and consent to, the presentation of the Petition," have been inserted in this Order.

Committee on Petitions.

DUTY OF THE SELECT COMMITTEE ON PETITIONS FOR PRIVATE BILLS.

9.

Compliance with Standing Orders to be proved before Sub-Committee.

That the compliance with the following Standing Orders shall be proved before one of the Sub-Committees of the Select Committee on Petitions for Private Bills, and any parties shall be at liberty to appear and be heard, by themselves, their agents and witnesses, upon any Petition which may be referred to such Committee, complaining of a non-compliance with the Standing Orders, provided the matter complained of be specifically stated in such Petition, and that the party affected by the non-compliance with the Standing Orders be cognizant of, and consent to, the presentation of the Petition, and that such Petition be presented *Three* clear days before the first meeting of such Sub-Committee.

10.

Proof of Notices on Church-doors, where Bills relate to *England*.

That in the case of any application for a Private Bill relating to *England*, the Committee may admit proof of the compliance with the Standing Orders which refer to the affixing to the Church-doors the requisite Notices, on the production of affidavits sworn before any Justices in Petty Sessions assembled, for the division within which the Churches on which the Notices have been affixed shall be respectively situated.

11.

Standing Orders may be proved on Affidavit.

Scotland.

That in the case of any application for a Private Bill relating to *Scotland*, the Committee may admit proof of the compliance with the Standing Orders of this House, on the production of Affidavits sworn before any Sheriff Depute or his Substitute there, whose Certificate shall be admitted as evidence of such proof having been made, unless the Committee shall require further evidence.

12.

Standing Orders may be proved on Affidavit.

Ireland.

That in the case of any application for a Private Bill relating to *Ireland*, the Committee may admit proof of the compliance with the Standing Orders of The House, on the production of Affidavits sworn before any Judge or Assistant Barrister of that part of the United Kingdom, whose Certificate shall be admitted as evidence of such proof having been made, unless the Committee shall require further evidence.

13.

Sub-Committee to report facts when Standing Orders have not been complied with.

That when the Sub-Committee shall report to The House that the Standing Orders have not been complied with, they do report the facts upon which their decision is founded, and any special circumstances connected with the case.

14.

Notices of Application.

THAT Notices be given in all cases where Application is intended to be made for leave to bring in a Bill relating to the subjects included in any of the following Classes:—

1st CLASS. Burial Ground, Making, Maintaining or Altering.
Church or Chapel, Building, Enlarging, Repairing or Maintaining.
City or Town, Paving, Lighting, Watching, Cleansing or Improving.
Crown, Church, or Corporation Property, or Property held in Trust for Public or Charitable Purposes.
Fishery, Making, Maintaining or Improving.
Land, Inclosing, Draining or Improving.
Market or Market-place.
Local Court, Constituting.
Market or Market-place, Erecting, Improving, Repairing, Maintaining, or Regulating.
Poor, Maintaining or Employing.
Poor Rate.
Stipendiary Magistrate, or any Public Officer, Payment of, if not out of County Rate.

2d CLASS.—Making, Maintaining, Varying, Extending or Enlarging any

Aqueduct.	Navigation.
Archway.	Pier.
Bridge.	Port.
Canal.	Railway.
Cut.	Reservoir.
Dock.	Tunnel.
Ferry.	Turnpike Road.
Harbour.	Waterwork.

3d CLASS.—Continuing or amending an Act passed for any of the purposes included in this or the two preceding Classes, where no further work than such as was authorized by a former Act is proposed to be made.
Company, Incorporating or giving Powers to.
County Rate.
County or Shire Hall, Court House.
Gaol or House of Correction.
Letters Patent, Confirming, Prolonging or Transferring the Term of.
Powers to sue and be sued, Conferring.
Stipendiary Magistrate, or any Public Officer, Payment of, if out of County Rate.

15.

Notices to be published.

THAT such Notices be published in *Three* successive *Weeks* in the months of *October* and *November*, or either of them, immediately preceding the Session of Parliament in which Application for the Bill shall be made, in the *London*, *Edinburgh* or *Dublin Gazette*, as the case may be, and in some one and the same Newspaper of the County in which the City, Town or Lands to which such Bill relates shall be situate; or if there be no Newspaper published therein, then in the Newspaper of some County adjoining or near thereto; or if such Bill do not relate to any particular City, Town or Lands, in the *London*, *Edinburgh* or *Dublin Gazette* only, as the case may be; and that all Notices required to be inserted in the *London*, *Edinburgh* or *Dublin Gazette*, be delivered at the Office of the Gazette in which the insertion is required to be made, during the usual office

17.

This Order has been verbally amended.

Committee on Petitions.

office hours, at least *Two* clear *days* previous to the publication of the Gazette, and that the receipt of the Printer for such Notice shall be proof of its due delivery.

16.

Intention to levy or alter Tolls to be stated.

THAT if it be the intention of the Parties applying for leave to bring in a Bill, to obtain powers for the compulsory purchase of Lands or Houses, or to levy any Tolls, Rates or Duties, or to alter any existing Tolls, Rates or Duties, or to confer, vary, or extinguish any exemptions from payment of Tolls, Rates or Duties, or any other rights or privileges, the Notices shall specify such intention.

17.

Application to Owners, &c.

THAT on or before the 31st day of *December* immediately preceding the application for a Bill by which any Lands or Houses are intended to be taken, or an extension of the time granted by any former Act for that purpose is sought, application in writing, (and in cases of Bills included in the second class, in the form, as near as may be, set forth in the Appendix marked (A.)), be made to the Owners or reputed Owners, Lessees or reputed Lessees, and Occupiers, either by delivering the same personally, or by leaving the same at their usual Place of Abode, or in their absence from the United Kingdom, with their Agents respectively, of which application the production of a written acknowledgment by the party applied to shall, in the absence of other proof, be sufficient evidence; and that separate Lists be made of the Names of such Owners, Lessees and Occupiers, distinguishing which of them have assented, dissented, or are neuter in respect thereto. (*See* as to depositing said Lists in Private Bill Office, page 81, No. 127.)

ORDERS specially relating to BILLS of the FIRST CLASS.

18.

Notices on Church Doors.

THAT in cases of Bills included in the First Class, Notices shall also be affixed to the Outer Doors of the Churches of every Parish to which they specially relate, for *Three* successive *Sundays* in the months of *October* and *November*, or either of them.

Crown, &c. Property.

19.

Notice to Owners, &c.

THAT in cases of intended Application to Parliament for Bills relating to Crown, Church or Corporation Property, or Property held in Trust for Public or Charitable Purposes, Notice in writing of such intention be given to the Owners or reputed Owners of such Property, and to the Lessees or reputed Lessees of such Property, holding Leases granted for a life or lives, or for any term of Twenty-one Years or upwards; such Notice to be given as aforesaid previous to the Presentation of the Petition for leave to bring in the Bill, or, in the case of a Bill brought from The House of Lords, previous to the First Reading thereof.

Committee on Petitions.

Burial Grounds.

20.

Notices on Church Doors.

THAT Notices be affixed to the Outer Doors of the Churches of every Parish adjoining that in which a Burial Ground is proposed to be made, for *Three* successive *Sundays* in the months of *October* and *November*, or either of them.

21.

Notice to Owners and Occupiers of Houses.

THAT on or before the *Thirty-first* day of *December* immediately preceding the Application for any Bill for making a Burial Ground, Notice be given to the Owner and Occupier of every Dwelling House situated within 300 Yards of the Boundary of the proposed Burial Ground.

ORDERS specially relating to BILLS of the SECOND CLASS.

22.

Notices to contain Names of Parishes, &c.

THAT in cases of Bills included in the Second Class, all Notices shall contain the Names of the Parishes, Townships, Townlands and extra-parochial places from, in, through, or into which the Work is intended to be made, maintained, varied, extended or enlarged, and shall state the time and place of deposit of the Plans, Sections and Books of Reference respectively, with the Clerks of the Peace, Parish Clerks, Schoolmasters, Town Clerks, and Clerks of Unions, as the case may be. (*See* Nos. 23 & 27.)

23.

Plans, &c. with Clerk of the Peace.

THAT a Plan, and also a duplicate of such Plan, on a scale of not less than Four Inches to a Mile, be deposited for public inspection at the office of the Clerk of the Peace for every County, Riding or Division in *England* or *Ireland*, or in the Office of the Principal Sheriff Clerk of every County in *Scotland*, in or through which the Work is proposed to be made, maintained, varied, extended or enlarged, on or before the 30th day of *November*, immediately preceding the Session of Parliament in which Application for the Bill shall be made; which Plans shall describe the line or situation of the whole of the Work, and the Lands in or through which it is to be made, maintained, varied, extended or enlarged, or through which every communication to or from the Work shall be made, together with a Book of Reference containing the Names of the Owners or reputed Owners, Lessees or reputed Lessees, and Occupiers of such Lands respectively; and in the case of Bills relating to Turnpike Roads, Cuts, Canals, Reservoirs, Aqueducts and Railways, a Section and Duplicate thereof, as hereinafter described, shall likewise be deposited with such Plan and Duplicate.

23 *a*.

Plans, &c. at Board of Trade.

THAT in the case of Railway Bills, a Copy of all Plans, Sections, and Books of Reference, required by the Orders of the House to be deposited in the Office of any Clerk of the Peace or Sheriff Clerk, on or before the 30th day of November immediately preceding the Session of Parliament in which application for the Bill shall be made, shall on or before the same day be deposited in the Office of the Railway Department of the Board of Trade.

24. THAT

22.

The words " Clerks of Unions" have been substituted for " Postmasters."

27.

The words "Clerk of the Union within which" have been substituted for "Postmaster of the Post-town in or nearest to"; and the words "is included" have been inserted after "Parish".

Committee on Petitions.

24.

Lands within Deviation to be on Plan.

THAT where it is the intention of the Parties to apply for powers to make any lateral deviation from the line of the proposed Work, the limits of such deviation shall be defined upon the Plan, and all Lands included within such limits shall be marked thereon, and that in all cases, excepting where the whole of such Plan shall be upon a scale of not less than a *quarter* of an *inch* to every 100 feet, an additional Plan of any Building, Yard, Court-Yard or Land within the curtilage of any Building, or of any Ground cultivated as a Garden, either on the original line or included within the limits of the said deviation, shall be laid down on the said Plan or on the additional Plan deposited therewith, upon a scale of not less than a *quarter* of an *inch* to every 100 feet. (*See* Fig. 3.)

Buildings, &c. on enlarged Scale.

25.

Section.

THAT the Section be drawn to the same horizontal scale as the Plan, and to a vertical scale of not less than *one inch* to every 100 feet, and shall show the surface of the ground marked on the Plan, and the intended level of the proposed Work, and a datum horizontal line, which shall be the same throughout the whole length of the Work, or any Branch thereof respectively, and shall be referred to some fixed point stated in writing on the Section, near either of the termini. (*See* Line D. D., Fig. 2.)

26.

Clerks of Peace to indorse a Memorial on Plans, &c.

THAT the Clerks of the Peace or Sheriff Clerks, or their respective Deputies, do make a Memorial in writing upon the Plans, Sections and Books of Reference so deposited with them, denoting the time at which the same were lodged in their respective offices, and do at all seasonable hours of the day permit any person to view and examine one of the same, and to make copies or extracts therefrom; and that *one* of the two Plans and Sections so deposited, be sealed up and retained in the possession of the Clerk of the Peace or Sheriff Clerk until called for by order of one of the Two Houses of Parliament. (*See* Appendix, Act 1 Vict. c. 83.)

27.

Plan and Section with Parish Clerk, &c.

THAT on or before the 31st day of *December*, a copy of so much of the said Plans and Sections as relates to each Parish in or through which the Work is intended to be made, maintained, varied, extended or enlarged, (*see* Fig. 5.), together with a Book of Reference thereto, be deposited with the Parish Clerk of each such Parish in *England*, the Schoolmaster of each such Parish in *Scotland*, (or in Royal Burghs with the Town Clerk), and the Clerk of the Union within which such Parish is included in *Ireland*. (*See* Appendix, Act 1 Vict. c. 83.)

28.

Time for Deposit in Private Bill Office.

THAT on or before the 31st day of *December*, a copy of the said Plans, Sections and Books of Reference be deposited in the Private Bill Office of this House.

29.

Estimate and Subscription Contract.

THAT an Estimate of the Expense be made and signed by the person making the same, and that a Subscription be entered into under a Contract, made as hereinafter described, to *three-fourths* the amount of the Estimate. (*See* as to depositing Estimate and Subscription Contract in Private Bill Office, p. 81, No. 127.)

30.

Cases wherein Declaration may be substituted for Subscription Contract.

THAT in cases where the Work is to be made by means of Funds, or out of Money to be raised upon the credit of present Surplus Revenue, belonging to any Society or Company, or under the control of Directors, Trustees, or Commissioners, as the case may be, of any existing Public Work, a Declaration stating those facts, and setting forth the nature of such control, and the nature and amount of such Funds or Surplus Revenue, and given under the common seal of the Society or Company, or under the hand of some authorized Officer of such Directors, Trustees or Commissioners, may be substituted in lieu of the Subscription Contract, and in addition to the Estimate of the Expense. (*See* as to depositing Subscription Contracts in Private Bill Office, p. 81, No. 127.)

31.

Cases wherein Declaration and Estimate of Amount of Rates may be substituted for Subscription Contract.

THAT in cases where the Work is to be made out of Money to be raised upon the Security of the Rates, Duties or Revenue to be created by or to arise under any Bill, under which no private or personal pecuniary profit or advantage is to be derived, a Declaration stating those facts, and setting forth the means by which Funds are to be obtained for executing the Work, and signed by the Party or Agent soliciting the Bill, together with an Estimate of the probable amount of such Rates, Duties or Revenue, signed by the Person making the same, may be substituted in lieu of the Subscription Contract, and in addition to the Estimate of the Expense. (*See* as to depositing Estimate and Subscription Contract in Private Bill Office, p. 81, No. 127.)

32.

Contract to contain Christian and Surnames of Parties.

THAT every Subscription Contract contain the Christian and Surnames, Description and Place of Abode of every Subscriber; his Signature to the amount of his Subscription, with the amount which he has paid up; and the Name of the Party witnessing such Signature, and the date of the same respectively.

33.

One-twentieth part of amount subscribed to be deposited.

THAT previous to the presentation of a Petition for a Bill, except a Railway Bill (for which *see* Order 39 *a*) a sum equal to *One-twentieth* part of the amount subscribed shall be deposited with the Court of Chancery in *England*, if the Work is intended to be done in *England*, or with the Court of Chancery in *England* or the Court of Exchequer in *Scotland*, if such Work is intended to be done in *Scotland*, and with the Court of Chancery in *Ireland*, if such Work is intended to be done in *Ireland*. (*Vide* Appendix C.)

30.

The words "belonging to any Society or Company, or" have been inserted after "Revenue," in line 3, and the words "Society or" have been inserted after "the" in line 7.

33.

The words "except a Railway Bill (for which *see* Order 39 *a*)" have been inserted.

36 *a*.

Is a new Order.

34.

THAT no Subscription Contract shall be valid, excepting in the case of Railway Bills, (for which *see* Order 40), unless it be entered into subsequent to the close of the Session of Parliament previous to that in which application is made for leave to bring in the Bill to which it relates, and unless the Parties subscribing to it bind themselves, their Heirs, Executors and Administrators, for the Payment of the Money so subscribed.

Not valid unless entered into subsequent to close of previous Session.

35.

THAT previous to the presentation of a Petition for a Bill, copies of the Subscription Contract, with the Names of the Subscribers arranged in alphabetical order, and the amount of the Deposit respectively paid up by each such Subscriber, or where a Declaration and Estimate of the probable amount of Rates and Duties are substituted in lieu of a Subscription Contract, copies of such Declaration or of such Declaration and Estimate be printed at the expense of the Promoters of the Bill, and be delivered at the Vote Office for the use of the Members of The House.

Copies of Subscription Contract, or of Declaration, &c., to be printed, and delivered in Vote Office.

36.

THAT previous to the presentation of a Petition for a Bill whereby any part of a Work authorized by any former Act is intended to be relinquished, Notice in writing of such Bill be given to the Owners or reputed Owners and Occupiers of the Lands in which the part of the said Work intended to be thereby relinquished is situate.

Notice to Owners, &c., when the Bill is to abridge any Public Work.

36 *a*.

THAT (except in cases where Notices are required to be affixed on church-doors) no Notice given, nor Application made on a Sunday or Christmas-day, or before Eight o'clock in the forenoon, or after Eight o'clock in the afternoon of any day, shall be deemed valid.

Cuts, Canals, Reservoirs, Aqueducts and Navigations.

37.

THAT in all cases where it is proposed to divert into any intended Cut, Canal, Reservoir, Aqueduct, or Navigation, or into any intended variation, extension, or enlargement thereof respectively, any Water from any existing Cut, Canal, Reservoir, Aqueduct, or Navigation, whether directly or derivatively, and whether under any agreement with the Proprietors thereof or otherwise, the Notices shall contain the name of every such existing Cut, Canal, Reservoir, Aqueduct or Navigation, the Waters supplying which, by virtue of any Act of Parliament, will either directly or derivatively flow or proceed into any such intended Cut, Canal, Reservoir, Aqueduct, or Navigation, or into any intended variation, extension or enlargement thereof.

When it is intended to divert Water from an existing Cut, &c., into an intended Cut, &c., the name of the existing Cut, &c., to be mentioned.

38.

THAT in all cases where it is proposed to make, vary, extend or enlarge any Cut, Canal, Reservoir, Aqueduct or Navigation, the Plan shall describe the Brooks and Streams to be directly diverted

Plan to describe Brooks, &c. to be diverted.

diverted into such intended Cut, Canal, Reservoir, Aqueduct or Navigation, or into any variation, extension or enlargement thereof respectively, for supplying the same with Water; it shall also exhibit the height of the several Embankments, and the depth of the several Cuttings respectively, on a scale specified thereon (*see* Fig. 1); and in cases of Bills for improving the Navigation of any River, there shall be a Section which shall specify the Levels of both Banks of such River, and where any alteration is intended to be made therein, it shall describe the same by feet and inches.

Railways.

39.

Copy of Bill annexed to Petition to be deposited at Board of Trade.

THAT in the case of Railway Bills, a Copy of every Bill annexed to a Petition be deposited in the Office of the Railway Department of the Board of Trade, on or before the day of presentation of the Petition to the House.

39 *a.*

One-tenth part of Amount subscribed to be deposited.

THAT previous to the presentation of a Petition for a Railway Bill, a sum equal to One-tenth part of the amount subscribed shall be deposited with the Court of Chancery in England, if the Railway is intended to be made in England; or with the Court of Chancery in England or the Court of Exchequer in Scotland, if such Railway is intended to be made in Scotland; and with the Court of Chancery in Ireland, if such Railway is intended to be made in Ireland: Provided, that the above Order shall not apply to any Railway Bills which have been before Parliament during the present Session, and which may be again introduced in the next Session; but with respect to such Bills, a sum equal to One-twentieth of the amount subscribed shall be deposited as before provided.

40.

Subscription Contract not valid unless entered into subsequent to the last day of receiving Petitions in previous Session.

THAT as regards Railway Bills, no Subscription Contract shall be valid, unless it be entered into subsequent to the day fixed in the Session of Parliament previous to that in which application is made for leave to bring in the Bill to which it relates, as the last day on which Petitions for Private Bills may be presented, and unless the parties subscribing to it bind themselves, their heirs, executors and administrators, for the payment of the money so subscribed.

40 *a.*

Distances to be marked in Miles and Furlongs, and memorandum of Curves.

THAT in all cases where it is proposed to make, vary, extend, or enlarge any Railway, the Plan shall exhibit thereon the distances in miles and furlongs, from one of the termini; and a memorandum of the radius of every curve not exceeding one mile in length shall be noted on the Plan in furlongs and chains.

41.

Line of Railway on Section to correspond with upper surface of Rails.

THAT in every Section of a Railway, the Line marked thereon shall correspond with the upper surface of the rails.

41 *a.* THAT

39 *a.*

The words "One-tenth" in the second line have been substituted for "One-twentieth;" and the Proviso at the end of the Order has been added.

40 *a.*

The words "in furlongs and chains" have been substituted for "in miles and chains."

42.

The words "and the height and span of every arch of all bridges and viaducts" have been inserted after "Railway" in the third line.

43 *a*. 43 *b*. and 43 *c*.

These are new Orders, founded on Resolutions of the present Session.

Committee on Petitions.

41 *a.*

Vertical measures to be marked at change of gradient.

THAT distances on the Datum Line shall be marked in miles and furlongs, to correspond with those on the Plan; that a vertical measure from the Datum Line to the Line of the Railway shall be marked in feet and inches at each change of the gradient or inclination; and that the proportion or rate of inclination between each such change shall also be marked.

42.

Height of Railway, over or under surface, to be marked at every crossing of a Road, &c.

THAT the height of the Railway over or under the surface of every turnpike-road, public carriage-road, navigable River, Canal, or Railway, or junction with a Railway, and the height and span of every Arch of all Bridges and Viaducts, shall be marked in figures at every crossing thereof, and the extreme height over or under the surface of the ground shall be marked for every embankment and cutting; and if any alteration in the present level or rate of inclination of any turnpike-road, carriage-road, or Railway be intended, then the same shall be stated on the said Section, and each numbered; also that Cross Sections, in reference to the said numbers, on a horizontal scale of one inch to every 330 feet, and on a vertical scale of one inch to every 40 feet, shall be added, to explain the nature of such alterations more clearly.

43.

Tunnelling and Viaduct to be marked.

THAT where tunnelling as a substitute for open cutting, or a viaduct as a substitute for solid embankment, be intended, the tunnelling shall be marked by a dotted line on the Plan, and shall also be marked on the Section, and the viaduct shall be marked on the Section.

ORDERS applicable to such RAILWAY BILLS as shall have been ordered to be engrossed in Session 1845.

43 *a.*

Notices in Newspapers and Gazettes.

That the Promoters of such Bills shall give notice by advertisement for Six successive weeks in the months of October and November in the London, Edinburgh or Dublin Gazette, as the case may be, and in the local Paper or Papers which may be usually in circulation in the part of the country through which the line of Railway is proposed to pass, of their intention to present a Petition for the re-introduction of any such Bill.

43 *b.*

Committee to examine whether Petition be the same as that in 1845.

That upon any Petition for leave to bring in a Railway Bill which shall be presented to the House during the Session of 1846, *and referred to the Committee on Petitions, the Committee do examine whether the said Petition be the same in substance as any Petition for the same purpose, and from the same parties, which was presented in the Session of* 1845; *and in that case, whether any Bill brought into the House in pursuance of such Petition in the Session of* 1845, *was pending in either House of Parliament*

Committee on Petitions.

on the termination of such Session; and if so, whether a Subscription Contract, as required by the Standing Orders, binding in the usual way the Subscribers to the Undertaking, has been entered into and is valid at the time of such inquiry, and whether the deposit of 5l. per cent. upon such Subscription is lodged in the manner required by the Standing Orders.

43 *c.*

If Petition be the same as in 1845, &c., and Bill pending, if ordered to be ingrossed, Standing Orders to be held complied with.

That in such case, and on proof of such Notice having been given as aforesaid, and in case it should appear that such Bill had, at the end of the Session of 1845, *been pending in the House of Lords, or if pending in the House of Commons, had been ordered to be ingrossed, the Standing Orders with respect to any such Bill shall be held to have been complied with.*

ORDERS specially relating to BILLS of the THIRD CLASS.

44.

Documents to be deposited in Private Bill Office

THAT as respects all Bills of the Third Class for the Incorporation of Joint Stock Companies, or proposed Companies for carrying on any Trade or Business, or for conferring upon such Companies the power of suing and being sued, there be deposited in the Private Bill Office, previous to the Presentation of the Petition for the Bill, a copy of the Deed or Agreement of Partnership (if any) under which the Company or proposed Company is acting, or of the Subscription Contract (if any), together with a declaration in writing stating the following matters:—

1st.—The present and proposed amount of the Capital of the Company.

2d.—The number of Shares, and the amount of each Share.

3d.—The number of Shares subscribed for.

4th.—The amount of Subscriptions paid up.

5th.—The names, residences and descriptions of the Shareholders or Subscribers (so far as the same can be made out), and of the actual or provisional Directors, Treasurers, Secretaries or other officer, if any.

And such documents shall be verified by the signature of some authorized officer of the Company or proposed Company (if any), and by some responsible party promoting the Bill. (*See* as to depositing documents in Private Bill Office, Order, page 81, No. 127.)

Letters Patent.

45.

Name of Invention to be prefixed in Capitals to Notice.

THAT in cases of Bills for confirming or prolonging the terms of Letters Patent, each Notice shall have prefixed to it in Capital Letters the name by which the Invention is usually distinguished, and shall contain a distinct description of the Invention for which such Letters Patent have been obtained, and also an account of the Term of their Duration.

Committee on Standing Orders.

DUTY OF THE SELECT COMMITTEE ON STANDING ORDERS.

46.

Select Committee on Standing Orders to report whether Standing Orders ought or ought not to be dispensed with.

THAT when any Report of the Select Committee on Petitions for Private Bills, in which they shall report that the Standing Orders have not been complied with, shall have been referred to the Select Committee on Standing Orders, they shall report to The House whether such Standing Orders as have not been complied with ought or ought not to be dispensed with, and whether in their opinion the parties should be permitted to proceed with their Bill, or any portion thereof, and under what (if any) conditions.

47.

Select Committee on Standing Orders to report whether Sessional Order ought or ought not to be dispensed with.

THAT when any Petition for leave to dispense with any of the Sessional Orders of The House relating to Private Bills, shall have been referred to the Select Committee on Standing Orders, they shall report to The House whether such Sessional Orders ought or ought not to be dispensed with.

48.

Committee to report whether Clause and Amendment on Report ought to be adopted or not by House without Re-commitment.

THAT when any Clause or Amendment proposed to any Private Bill on the Report, or the Consideration of the Report thereof, shall have been referred to the Select Committee on Standing Orders, they shall report to The House whether such Clause or Amendment be of such a nature as not to be adopted by The House without the Re-commitment of the Bill, or of such a nature as to justify The House in entertaining it without recurring to that proceeding, or of such a nature as not in either case to be adopted by The House.

49.

Committee to report whether Clause or Amendment on Third Reading ought to be adopted or not by House at that stage.

THAT when any Clause or Amendment proposed to any Private Bill on the Third Reading shall have been referred to the Select Committee on Standing Orders, they shall report to The House whether such Clause or Amendment ought or ought not to be adopted by The House at that stage.

Committee of Selection.

DUTY OF THE COMMITTEE OF SELECTION.

50.

Opposed Bill to be referred to Speaker's List, &c.

That the Committee of Selection shall refer every Private Bill referred to them, when it be opposed, to the Speaker's List of that County or that Division of a County to which the Bill specially relates, and to such number of Members not locally interested in the Bill as the circumstances of the case shall in their judgment require.

51.

Quorum of Selected Members.

That the Committee of Selection shall in each case direct what number of the Members (not locally interested in the Bill) selected and added to the Speaker's List by them, shall be a Quorum of such Members.

52.

Notice to Selected Members.

That the Committee of Selection shall, after the name of any Member shall have been added by them to the Speaker's List, direct the Clerk attending them to give notice as soon as possible to such Member of his Name having been so added, and of the time when the Committee on the Bill shall have been appointed to meet.

53.

What Bills not to be considered opposed.

That the Committee of Selection shall consider no Bill as an opposed Private Bill where no Petition has been presented in which the Petitioners pray to be heard, by themselves, their Counsel or Agents, unless in cases where the Chairman of Ways and Means shall have reported to The House that in his opinion any Bill should be so treated.

54.

Unopposed Bills to be referred to the Chairman Ways and Means, &c.

That the Committee of Selection shall refer every unopposed Private Bill referred to them, and which shall have originated in this House, to the Chairman of the Committee of Ways and Means, together with the Members ordered to prepare and bring in the Bill; and shall refer every unopposed Private Bill referred to them, which shall have been brought from the House of Lords, to the Chairman of the Committee of Ways and Means, together with not less than *Two* other Members, to be named by the Committee of Selection.

55.

Committee of Selection to appoint First Sitting of Committee.

That the Committee of Selection shall, subject to the order that there be *Seven* clear days between the Second Reading of every Private Bill and the Sitting of the Committee thereupon, fix the time for holding the *First Sitting* of every Committee on a Private Bill referred to them; but in the case of unopposed Private Bills, after communication with the Members who are to form the Committee on such Bill.

56.

Postponement of First Sitting.

That no Postponement of the First Sitting of any Committee on a Private Bill shall take place, unless such Postponement, and the Duration of it, shall have been sanctioned by the Committee of Selection.

Committee on the Bill.

DUTY OF THE COMMITTEE ON THE BILL.

Orders specially relating to the Committee on an Opposed Bill.

57.

That each Member appointed to serve as a Member of a Committee on an opposed Private Bill, whether he be on the Speaker's List or one of the Selected Members, before he be entitled to attend and vote on such Committee, shall (according to the class to which he may belong) sign one of the following Declarations. Members of Committee to sign Declaration.

58.

That the following shall be the several Forms of Declaration :— Declaration of Member on Speaker's List.

No. 1.—Declaration of a Member whose Name is on the List prepared under the direction of Mr. Speaker for . . .

I, A. B., being one of the Members whose name is on the List prepared under the direction of Mr. Speaker, to which List the Bill for . . . . . has been committed, do hereby declare, That I will never vote on any question which may arise without having duly heard and attended to the Evidence relating thereto.

Memorandum.—*The Declaration, signed as aforesaid, must be delivered to the Clerk of the Committee on the Bill before the Committee shall proceed to appoint a Chairman, otherwise the Member signing the same shall not be entitled to attend or vote.*

No. 2.—The Declaration of a Member whose Name has been added to the List prepared under the direction of Mr. Speaker by the Committee of Selection, his constituents having no local interest in the Bill for . . . . . Declaration of selected Member.

I, C. D., being one of the Members selected and added to the List by the Committee of Selection, to which List the Bill for . . . . . has been committed, do hereby declare, That my constituents have no local interest, and that I have no personal interest, in such Bill ; and that I will never vote on any question which may arise without having duly heard and attended to the Evidence relating thereto.

Memorandum.—*The Declaration, signed as aforesaid, must be delivered to the Clerk of the Committee on the Bill before the Committee shall proceed to appoint a Chairman, otherwise the Member signing the same shall not be entitled to attend or vote.*

59.

That the Committee Clerk shall furnish to each Member appointed to serve on a Committee on a Private Bill, who shall apply for the same, a Form of one of the above Declarations, according to the class to which the Member may belong ; and Form of Declaration supplied by Clerk.

Committee on the Bill.

that such application shall be made to the Committee Clerk, either in the Committee Clerks' Office, previous to the time when the Committee shall have been appointed to meet, or in the Committee Room, previous to the door thereof being locked, as hereinafter directed.

60.

When Member not entitled to attend or vote.

THAT no Member shall be entitled to attend or vote in a Committee on an opposed Private Bill, who shall not have delivered his Declaration to the Clerk, previous to the time when the door of the Committee Room shall be locked for the appointment of the Chairman, and who shall not have been present at such appointment.

61.

Quorum to be always present.

THAT Five Members (including the Quorum of Selected Members) shall be the Quorum of every Committee on an opposed Private Bill, and that no such Committee shall proceed to business, or continue their inquiry or deliberations, unless such number of Members appointed and duly qualified to serve on such Committee shall be present.

62.

When Proceedings of Committee to commence.

THAT so soon after the expiration of *ten minutes*, and not sooner, after the time appointed for the first sitting of a Committee on an opposed Private Bill, as there shall be present at least *Five* Members appointed and duly qualified to serve on such Committee (including a Quorum of Selected Members), the Clerk shall direct the Messenger in attendance on the Committee to clear the room of all strangers, and to lock the door of the Committee Room; and the Members then present shall proceed to appoint a Chairman.

63.

Chairman to be a Selected Member.

THAT the Member to be appointed the Chairman of each Committee on an opposed Private Bill shall be one of the Selected Members.

64.

Proceedings to be suspended if Quorum not present.

THAT if at any time during the sitting of the Committee a Quorum of the Selected Members shall not be present, the Chairman of the Committee shall suspend the proceedings of such Committee until such Quorum shall be present; and that if at the expiration of *one hour* from the time fixed for the meeting of the Committee, or from the time when the Chairman shall so have suspended the proceedings of such Committee, a Quorum of the Selected Members shall not be present, the Chairman shall *adjourn* the Committee for any period he may think think fit, and report to The House the circumstances of the case at its next meeting.

65.

Absence of Quorum by Death or otherwise to be reported.

THAT if at any time after the Committee on a Bill shall have been formed, a Quorum of Members required by the Standing Orders cannot attend in consequence of any of the Members who shall have duly qualified to serve on such Committee having become

64.

The words "he may think fit," have been substituted for "not exceeding Two clear days, or to the day on which the House shall next thereafter meet;" and the words "at its next meeting," have been added at the end of the Order.

Committee on the Bill.

become incompetent to continue such service by having been placed on an Election Committee, or by death or otherwise, the Chairman shall report the circumstances of the case to The House, in order that such measures may be taken by The House as shall enable the Members still remaining on the Committee to proceed with the business referred to such Committee, or as the exigency of the case may require.

66.

Petition against Bill not to be considered except grounds of objection sufficiently specified.

THAT no Petition against a Private Bill be taken into consideration by the Committee on such Bill, which shall not distinctly specify the ground on which the Petitioners object to any of the provisions thereof; and that the Petitioners be only heard on such grounds so stated; and if it shall appear to the said Committee, that such grounds are not specified with sufficient accuracy, the Committee may direct that there be given in to the Committee a more specific Statement, in writing, but limited to such grounds of Objection so inaccurately specified.

67.

Petition against Bill to be presented Three days before first day appointed for meeting.

THAT no Petitioners against any Private Bill shall be heard before the Committee on the Bill, unless the Petition shall have been presented to this House *Three* clear *days* before the day appointed for the first meeting of such Committee, unless the Petitioners shall complain of any matter which may have arisen during the progress of the Bill before the said Committee.

ORDERS specially relating to the COMMITTEE on an UNOPPOSED BILL.

68.

What Chairman to be appointed.

THAT the Chairman of the Committee of Ways and Means shall be the Chairman of the Committee on every unopposed Private Bill (not being a Divorce Bill), and that such Chairman and one of the other Members of the Committee shall be the Quorum thereof.

69.

Chairman at liberty to report that any Bill should be treated as opposed.

THAT the Chairman of the Committee on every unopposed Private Bill (not being a Divorce Bill), shall be at liberty, at any period after such Bill shall have been referred to him and the other Members of the Committee, to report his opinion to The House (if he shall think fit), that such Bill should be treated as an opposed Private Bill; in which case such Bill shall be again referred to the Committee of Selection, and shall be dealt with by them as an opposed Private Bill.

70.

Filled-up Bills to be laid before Chairmanand Committee.

THAT a filled-up Bill, signed by the Agent for the Bill, as proposed to be submitted to the Committee, be laid by him before such Chairman at the time of giving notice of the meeting of the Committee on the Bill, and that similar copies be also laid by the Agent for the Bill before the other Members of the said Committee *Three days* at the least before the *First Meeting* thereof.

Committee on the Bill.

ORDERS relating to COMMITTEES on BILLS, whether OPPOSED or UNOPPOSED.

71.

Names of Members to be entered on Minutes.

THAT the Names of the Members attending each Committee be entered by the Clerk on the Minutes of the Committee; and if any Division shall take place in the Committee, the Clerk do take down the Names of Members voting in any such Division, distinguishing on which side of the question they respectively vote, and that such Lists be given in with the Report to The House.

72.

Committee on Bill not to inquire into certain Standing Orders.

THAT no Committee shall have power to examine into the compliance or non-compliance with such Standing Orders as are directed to be proved before the Select Committee on Petitions for Private Bills, unless by special order of The House.

73.

Standing Orders and Consents may be proved on Affidavits.

Scotland.

THAT in the case of any Private Bill relating to *Scotland*, the Committee may admit proof of the compliance with the Standing Orders of this House, and of the Consents of Parties concerned in interest in such Private Bill, on the production of Affidavits sworn before any Sheriff Depute or his Substitute there, whose Certificate shall be admitted as evidence of such proof having been made, unless the Committee shall require further evidence.

74.

Standing Orders and Consents may be proved on Affidavit.

Ireland.

THAT in the case of any Private Bill relating to *Ireland*, the Committee may admit proof of the compliance with the Standing Orders of The House, and of the Consents of Parties concerned in interest in such Private Bill, on the production of Affidavits sworn before any Judge or Assistant Barrister of that part of the United Kingdom, whose Certificate shall be admitted as evidence of such proof having been made, unless the Committee shall require further evidence.

75.

Consents in all other Cases.

THAT in all other instances, the Committee may admit proof of the Consents of Parties concerned in interest in any Private Bill, on the production of Certificates in writing of such Parties, whose Signature to such Certificate shall be proved by *one* or more Witnesses, unless the Committee shall require further Evidence.

76.

Clause compelling payment of Subscriptions.

THAT in all Bills presented to The House for carrying on any Work by means of a Company, Commissioners or Trustees, Provision be made for compelling Persons who have subscribed any Money towards carrying any such Work into execution, to make payment of the Sums severally subscribed by them.

77. THAT

77.

Committee on the Bill.

THAT in all Bills whereby any Parties are authorized to levy Fees, Tolls or other Rate or Charge, Clauses be inserted, providing for the following objects, except in so far as any of such objects shall have been provided for in some general Act applicable to the subject-matter of the Bill:—

Provision to be made in Bills, by which Tolls, &c. may be levied.

That security be taken from the Treasurer, Collector, or Receiver, and every other officer entrusted with the collection or custody of monies under the Bill, for the faithful execution of his office.

Security to be taken from Treasurer, &c.

That full and accurate Accounts be kept of all monies received and expended under the provisions of the Bill, and that such Accounts be balanced once in each year at the least.

Accounts to be kept.

That such Accounts be duly audited once in each year at the least, and that for such purpose an Auditor or Auditors be appointed by some person or persons not immediately connected with the Commissioners, Directors, Trustees, or other party, by whom, or by whose direction or authority, such Fees, Tolls, Rates or Charges shall be levied.

Accounts to be audited.

That for the purpose of auditing such Accounts, the Commissioners, Directors, Trustees or other such party as aforesaid be required to cause the Accounts, together with all their Books and Vouchers, to be produced to the Auditors.

Accounts, Vouchers, &c., to be produced to Auditors.

That the remuneration of the Auditor, and his expenses, be defrayed out of the funds levied under the Bill.

Remuneration to Auditors.

That an annual Account, in abstract, be prepared of the total Receipts and Expenditure of all funds levied under such Bill for the past year, under the several distinct heads of Receipts and Expenditure, with a Statement of the Balance of the said Account duly audited and certified by the Chairman of the Commissioners, Directors, Trustees or other parties aforesaid, and also by the Auditors thereof; and that a copy of such annual Account be transmitted, free of charge, to the Clerk of the Peace (or in Scotland to the Sheriff Clerk) for the County, or to the Clerk of the City or Borough within which the chief Office for the management of such funds shall be situated, on or before the *Thirty-first* day of *January* in each year, under a sufficient Penalty for not preparing and sending in the said Account, to be levied by summary process; the said Account to be open at all seasonable hours to the inspection of the Public upon payment of a Fee.

Account to be annually transmitted to Clerk of Peace.

78.

THAT where the level of any Road shall be altered in making any Public Work, the ascent of any Turnpike Road shall not be more than one foot in 30 feet; and of any other public Carriage Road not more than one foot in 20 feet; and that a good and sufficient fence, of four feet high at the least, shall be made on each side of every Bridge which shall be erected.

Level of Roads.

Fence to Bridge.

Committee on the Bill.

79.

Plan, &c., to be signed by Chairman.

THAT every Plan, and Book of Reference thereto, which shall be produced in evidence before the Committee upon any Private Bill (whether the same shall have been previously lodged in the Private Bill Office, or not,) shall be signed by the Chairman of such Committee with his Name at length; and he shall also mark with the Initials of his Name every Alteration of such Plan and Book of Reference, which shall be agreed upon by the said Committee; and every such Plan and Book of Reference shall thereafter be deposited in the Private Bill Office.

80.

Committee Bill and Clauses to be signed by Chairman.

THAT the Chairman of the Committee do sign, with his Name at length, a printed Copy of the Bill (to be called the Committee Bill) on which the Amendments are to be fairly written; and also sign, with the Initials of his Name, the several Clauses added in the Committee.

81.

Chairman to report on allegations of Bill, &c.

THAT the Chairman of the Committee upon every Private Bill shall report to The House, that the Allegations of the Bill have been examined; and whether the Parties concerned have given their Consent (where such Consent is required by the Standing Orders) to the satisfaction of the Committee.

82.

Committee to report Bill in all cases.

THAT every Committee to whom any Private Bill shall have been referred shall report the Bill to The House, whether such Committee shall or shall not have agreed to the Preamble, or gone through the several Clauses, or any of them; and when any alteration shall have been made in the Preamble of the Bill, such alteration, together with the ground of making it, shall be specially stated in the Report.

83.

Minutes of Committee.

THAT the Minutes of the Committee on every Private Bill be brought up and laid on the Table of The House, with the Report of the Bill.

Railway Bills.

84.

Restrictions as to Mortgage.

THAT in the case of a Railway Bill, no Company shall be authorized to raise, by Loan or Mortgage, a larger sum than *One-third* of their capital; and that, until *Fifty per cent.* on the whole of the capital shall have been paid up, it shall not be in the power of the Company to raise any Money by Loan or Mortgage.

85.

THAT where the level of any road shall be altered in making any Railway, the ascent of any turnpike-road shall not be more than One Foot in Thirty Feet, and of any other public carriage road not more than One Foot in Twenty Feet, unless a report from some officer of the Railway Department of the Board of Trade shall be laid

Committee on the Bill.

laid before the Committee on the Bill, recommending that steeper ascents than the above may be allowed, with the reasons and facts upon which such opinion is founded, and the Committee shall report in favour of such recommendation: Also, that a good and sufficient fence, of Four Feet high at the least, shall be made on each side of every Bridge which shall be erected.

86.

THAT no Railway whereon carriages are propelled by steam, or by atmospheric agency, or drawn by ropes in connexion with a stationary steam-engine, shall be made across any turnpike-road or other public carriage-way on the level, unless the Committee on the Bill report that such a restriction ought not be enforced, with the reasons and facts upon which their opinion is founded.

87.

THAT in the case of a Railway Bill, the Committee report specially:—

Capital. 1. The proposed Capital of the Company formed for the execution of the project, and the amount of any Loans which they may be empowered to raise by the Bill.

Shares, &c. 2. The amount of Shares subscribed for, and the Deposits paid thereon.

Names &c., of Directors. 3. The Names and Places of Residence of the Directors or Provisional Committee, with the amount of Shares taken by each.

Local Shareholders. 4. The number of Shareholders who may be considered as having a local interest in the line, and the amount of Capital subscribed for by them.

Other parties, &c. 5. The number of other Parties, and the Capital taken by them.

Subscribers for 2,000*l.* and upwards. 6. The number of Shareholders subscribing for 2,000*l.* and upwards, with their Names and Residences, and the amount for which they have subscribed.

Present means of conveyance. 7. The sufficiency or insufficiency for Agricultural, Commercial, Manufacturing or other purposes, of the present means of conveyance, and of communication between the proposed termini, stating the present amount of traffic by land or water, the average charges made for Passengers and Goods, and time occupied.

Passengers, &c., expected. 8. The number of Passengers, and the weight and description of the Goods expected upon the proposed Railway.

Income expected. 9. The amount of Income expected to arise from the conveyance of Passengers and Goods, and in what proportion; stating also generally the description of Goods from which the largest revenue is anticipated.

Whether Railway be a complete Line, or part of a more extended Plan. 10. Whether the proposed Railway be a complete and integral line between the termini specified, or a part of a more extended plan now in contemplation, and likely to be hereafter submitted to Parliament, and to what extent the calculations of remuneration depend on such contemplated extension of the line.

Committee on the Bill.

Whether Report from Board of Trade has been referred to Committee, &c.

11. Whether any Report from the Board of Trade in regard to the Bill, or the objects thereby proposed to be authorized, has been referred by the House to the Committee, and if so, whether any and what recommendations contained in such Report have been adopted by the Committee, and whether any and what recommendations contained in such Report have been rejected.

Assistant Engines.

12. What planes on the Railway are proposed to be worked, either by assistant engines, stationary or locomotive, with the respective lengths and inclinations of such planes.

Engineering difficulties.

13. Any peculiar engineering difficulties in the proposed line, and the manner in which it is intended they should be overcome.

Ventilation of Tunnels.

14. The length, breadth, and height, and means of ventilation, of any proposed tunnels, and whether the strata through which they are to pass are favourable or otherwise.

Gradients and Curves.

15. Whether in the lines proposed, the gradients and curves are generally favourable or otherwise, and the steepest gradient, exclusive of the inclined planes above referred to, and the smallest radius of a curve.

Length of Line.

16. The length of the main line of the proposed Railway, and of its branches respectively.

Passing Highways on a level.

17. Whether it be intended that the Railway should pass on a level any Turnpike Road or Highway, and if so, to call the particular attention of The House to that circumstance.

Estimates.

18. The amount of the Estimates of the cost or other expenses to be incurred up to the time of the completion of the Railway, and whether they appear to be supported by evidence, and to be fully adequate for the purpose.

Annual Expenses.

19. The estimated charge of the Annual Expenses of the Railway when completed, and how far the calculations on which the charge is estimated have been sufficiently proved.

Revenue in reference to annual charge.

20. Whether the calculations proved in evidence before the Committee have satisfactorily established that the Revenue is likely to be sufficient to support the Annual Charges of the maintenance of the Railway, and still allow profit to the Projectors.

Assents.

21. The number of assents, dissents and neuters upon the line, and the length and amount of Property belonging to each class traversed by the said Railway, distinguishing Owners from Occupiers; and in the case of any Bill to vary the original Line, the above particulars with reference to such Parties only as may be affected by the proposed deviation.

Engineers examined.

22. The Name of each Engineer examined in support of the Bill, and of any examined in opposition to it.

Petitions in opposition.

23. The main allegations of every Petition which may have been referred to the Committee in opposition to the Preamble of the Bill, or to any of its Clauses; and whether the allegations have been considered by the Committee, and if not considered, the cause of their not having been so.

11. The words, "and, in case the line or lines be stated in such Report to be a competing line or competing lines, the reasons which have induced the Committee to recommend the adoption or rejection of such competing lines or either of them," have been omitted.

88.

The words, "Clerks of the Unions in which" have been substituted for "Postmasters of the post-towns in or nearest to;" and after "Parishes," the words "are included" have been inserted.

Committee on the Bill.

And the Committee shall also report generally as to the fitness, in an engineering point of view, of the projected line of Railway, and any circumstances which, in the opinion of the Committee, it is desirable The House should be informed of.

Fitness in an engineering point of view, and any other circumstances.

88.

Resolved, That in all Railway Bills there be inserted the following Clauses:

Railway not to be proceeded with till certain Plans, &c., deposited.

"And be it further Enacted, That it shall not be lawful for the said Company to proceed in the execution of the said Railway hereinbefore authorized to be made, unless the said Company shall have, previously to the commencement of such work, deposited with the Clerk of the Peace of the several counties in England or Ireland, and in the Office of the Principal Sheriff Clerk in every county in Scotland, in or through which the said Railway hereby authorized to be made is intended to pass, a Plan and Section of all such alterations from the original Plan and Section as shall have been approved of by Parliament, on the same scale, and containing the same particulars as the original Plan and Section of the Railway; and also with the Clerks of the several parishes in England, the Schoolmasters of the several parishes in Scotland (or in Royal Burghs with the Town Clerk), and the Clerks of the Unions in which such parishes are included, in Ireland, in or through which such alterations shall have been authorized to be made, copies or extracts of or from such Plans and Sections as shall relate to such parishes respectively, and all persons interested shall have liberty to inspect and make extracts from or copies of the said Plans and Sections, or extracts or copies thereof, paying to the Officer having the custody of such Plan and Section, or of such extract or copy, the sum of One Shilling for every such inspection, and after the rate of Sixpence for every One hundred words copied therefrom.

Limiting Deviations from Datum Line.

"And be it further Enacted, That in making the said Railway it shall not be lawful for the said Company to deviate from the levels of the said Railway, as referred to the common Datum Line described in the Section so approved of by Parliament, and as marked on the same, to any extent exceeding in any place Five Feet, or in passing through towns Two Feet, without the consent of the owners, lessees and occupiers of the land in, through or over which such deviation is intended to be made; or in case any street or public carriage road shall be affected by such deviation, then the same shall not be made without the consent of the Trustees or Commissioners, or if there be no such Trustees or Commissioners, without the consent of Two or more Justices of the Peace in Petty Sessions assembled for that purpose, and acting for the district in which such street or public carriage road may be situated, or without the consent of the Commissioners for any Public Sewers, or the proprietors of any Canal or Navigation affected by such deviation: Provided always, That it shall be lawful for the Company to deviate from the said levels to a further extent without such consent as aforesaid, by lowering solid embankments or viaducts, provided that the requisite height of headway prescribed by Act of Parliament be left for roads, streets or canals passing under the same.

Arches and Viaducts as marked on Plan and Section to be made, &c.

"And be it further Enacted, That where in any place it is intended to carry the Railway on an arch or arches, or other viaduct, as marked on the said Plan or Section, the same shall be made accordingly; and where a tunnel is marked on the said Plan or Section as intended to be made at any place, the same shall be made accordingly, unless the owners, lessees and occupiers of the land in or through which such tunnel is intended to be made shall consent that the same shall not be so made: Provided always, That notice of every Petty Sessions to be holden for the purpose of obtaining such consent, as is hereinbefore required, shall, Fourteen Days' previous to the holding of such Petty Sessions, be given in some newspaper circulating in the county, and also be affixed upon the church door of the parish in which such deviation or alteration is intended to be made, or if there be no church, some other place to which notices are usually affixed; and provided also, That, for the purpose of consenting to any deviations from the said Sections, and to any tunnelling or arching as aforesaid, the word "owners" shall be deemed and taken to mean such persons as are herein capacitated to agree for the sale of, and to convey land for the making of the said Railway; and the consent of such persons, with or without the consent of any other persons interested as owners in the said lands, shall be deemed and taken to be sufficient for such purposes.

"And be it further Enacted, That it shall not be lawful for the said Company to deviate from or alter the gradients, curves, tunnels or other engineering works described in the said Plan or Section, except within the following limits, and under the following conditions, viz.:

Limiting Deviations from Gradients, Curves, Tunnels, &c.

"Subject to the above provisions in regard to altering levels, it shall be lawful for the Company to diminish the inclination or gradients of the said Railway to any extent, and to increase the said inclination or gradients as follows; (that is to say) in gradients of an inclination not exceeding one in a hundred to any extent not exceeding Ten Feet per mile, or to any further extent which shall be certified by the Lords of the Committee of Privy Council for Trade to be consistent with public safety, and not prejudicial to public interests; and in gradients of or exceeding the inclination of one in a hundred to any extent not exceeding Three Feet per mile, or to any further extent which shall be so certified by the Lords of the said Committee as aforesaid:

"It shall be lawful for the Company to diminish the radius of any curve described in the said Plan, to any extent which shall leave a radius of not less than half a mile, or to any further extent authorized by such certificate as aforesaid, from the Lords of the said Committee:

"It shall be lawful for the Company to make a tunnel, not marked on the said Plan or Section instead of a cutting, or a viaduct instead of a solid embankment, if authorized by such certificate as aforesaid from the Lords of the said Committee."

88 *a*.

This is a new Order, founded on a Resolution of the present Session.

ORDER applicable to such RAILWAY BILLS as shall have been ordered to be engrossed in Session 1845. Committee on the Bill.

88 *a*.

That the Committee on any such Bill do examine whether the Bill be in every respect the same as such former Bill at the last stage of its proceeding in this House in the Session of 1845, *and that in such case no Evidence shall be received by such Committee; but that on the reception and adoption by the House of a Report from such Committee, that the Bill referred to them is in every respect the same as such former Bill at the last stage of its proceeding in this House in the Session of* 1845, *such Bill may be ordered to be engrossed without any further proceeding in respect thereof.*

Letters Patent.

89.

THAT when any Bill shall be brought into The House, for confirming of Letters Patent, there be a true Copy of such Letters Patent annexed to the Bill. Copy of Letters Patent to be annexed to the Bill.

Inclosure and Drainage Bills.

90.

THAT in the case of any Bill for inclosing Lands, the Committee may admit proof of the Notices required by the Standing Orders, and of the Allegations in the Preamble of such Bill, by Affidavit taken and authenticated, according to the form prescribed in the Schedule to the General Inclosure Act (41 GEO. III. c. 109,) unless such Committee shall otherwise order. Notices and Allegations. Gen. Inc. Act.

91.

THAT the Committee on every Bill for inclosing Lands shall in the first place require the Agent for the same to deliver in to the Committee a printed copy of the Bill, signed by the Lord of the Manor, (in cases where the Lord of the Manor has any interest as such in the lands to be inclosed) and by such Owners of Property within the Parish to which the Bill relates as shall have assented thereto; but that the Parties, if they shall think fit, be permitted to deliver in different copies of the Bill, separately signed by the several Parties hereinbefore mentioned, instead of one copy, signed by all of them collectively; together with a List of all the Owners of Property within such Parish, showing the value according to the Poor Rate or Land Tax Assessment of each Owner's Property therein, and distinguishing which of them have assented, dissented, or are neuter in respect thereto. Consent Bill and Statement of Property to be delivered in.

92.

THAT the Committee on every Bill for draining Lands shall in the first place require the Agent for the same to deliver in to the Committee a printed copy of the Bill, signed by such Owners and Occupiers of Property within the Parish to which the Bill relates as shall have assented thereto; but that the Parties, Consent Bill and Statement of Property to be delivered in.

Committee on the Bill.

Parties, if they shall think fit, be permitted to deliver in different copies of the Bill, separately signed by the several Parties hereinbefore mentioned, instead of one copy, signed by all of them collectively; together with a List of all the Owners of Property within such Parish, showing the value according to the Poor Rate or Land Tax Assessment of each Owner's Property therein, and distinguishing which of them have assented, dissented, or are neuter in respect thereto.

93.

Clause for leaving open Space for exercise and recreation.

THAT in every Bill for inclosing Lands, provision be made for leaving an open space in the most appropriate situation, sufficient for purposes of exercise and recreation of the neighbouring population; and that the Committee on the Bill have before them the number of acres proposed to be inclosed, as also of the population in the parishes or places in which the land to be inclosed is situate; and also do see that provision is made for the efficient fencing of the allotment, for the investment of the same in the Churchwardens and Overseers of the parish in which such open space is reserved, and for the efficient making and permanent maintenance of the fences by such parish; and that in any case where the information hereby required is not given, and the required provisions are not made in the Bill, the Committee on the same do report specially to The House the reasons for not complying with such Order.

94.

Consent Bill to contain Names of Commissioners, and Compensations for Manorial Rights, Tithes, and Enfranchisements.

THAT in every Bill for inclosing Lands, the Names of the Commissioners proposed to be appointed, and the Compensation intended for the Lord of the Manor, and the Owners of Tithes, in lieu of their respective Rights, and also the Compensation intended to be made for the enfranchisement of Copyholds, where any Bargains or Agreements have been made for such Compensations, be inserted in the copy of the Bill presented to The House: And that all copies of such Bills which shall be sent to any of the Persons interested in the said Manor, Tithes, Lands or Commons, for their Consent, do contain the Names of such proposed Commissioners, and also the Compensations so bargained or agreed for.

95.

Disqualification of certain Persons as Commissioners, Surveyors, &c.

THAT no Person shall be named in any Bill for inclosing Lands as a Commissioner, Umpire, Surveyor or Valuer, who shall be interested in the Inclosure to be made by virtue of such Bill; or the Agent ordinarily intrusted with the care, superintendence, or management of the Estate of any Person so interested.

96.

Clauses for settling Pay of Commissioners, and passing their Accounts.

THAT in every Bill for inclosing, draining or improving Lands there be inserted a Clause, providing what sum of Money in the whole, or by the day, shall be paid to each of the Commissioners to be appointed by such Bill, in satisfaction of the expense and trouble which he shall incur in the execution of the powers thereby given; and that there be also inserted in such Bill a Clause, providing that the Account of such Commissioner or Commissioners, containing a true statement of all Sums

Committee on the Bill.

Sums by him or them received and expended or due to him or them for their own trouble or expenses, shall, at least once in every year, from the date of the passing of the Act till such Accounts shall be finally allowed, together with the Vouchers relating to the same, be examined by some Person or Persons to be appointed by the Bill, and the Balance by him or them stated in the Book of Accounts required to be kept in the Office of the Clerk of such Commissioners; and that no charge or item in such Accounts shall be binding on the Parties concerned, or be valid in law, unless the same shall be duly allowed by such Person or Persons.

Turnpike Roads (Ireland).

97.

Clause for Qualification of Commissioners.

THAT in every Bill for making a Turnpike Road in Ireland, or for the continuing or amending any Act passed for that purpose, or for the increase or alteration of the existing Tolls, Rates or Duties upon any such Road, or for widening or diverting any such Road, a Clause be inserted, to prevent any Person who shall be nominated a Commissioner, from acting or voting in the business of the said Turnpike, unless he shall be possessed of an Estate in Land, or of a Personal Estate, to such certain value as shall be specified in such Bills; and that such Qualification be extended to the Heirs apparent of Persons possessed of an Estate in Land to a certain value to be specified.

Committee on Divorce Bills.

DUTY OF SELECT COMMITTEE ON DIVORCE BILLS.

98.

What Evidence to be given in Divorce Cases.

THAT the Select Committee on Divorce Bills shall require evidence to be given before them that an action for damages has been brought in one of Her Majesty's Courts of Record at Westminster, or in one of Her Majesty's Courts of Record in Dublin, or in one of Her Majesty's Supreme Courts of Judicature of the Presidencies of Calcutta, Madras, Bombay or the Island of Ceylon, respectively, against the persons supposed to have been guilty of Adultery, and judgment for the plaintiff had thereupon; or sufficient cause to be shown to the satisfaction of the said Committee why such action was not brought, or such judgment was not obtained.

99.

When Petitioner for Bill to attend Committee.

THAT the Select Committee on Divorce Bills shall, in all cases in which the Petitioner for the Bill has attended the House of Lords upon the Second Reading of the Bill, require him to attend before them to answer any questions they may think fit that he should answer.

100.

Committee to report Bill in all cases.

THAT the Select Committee on Divorce Bills shall report every such Bill to The House, whether such Committee shall or shall not have agreed to the Preamble, or gone through the several Clauses, or any of them.

III.

THE ORDERS REGULATING THE PRACTICE OF THE HOUSE WITH REGARD TO PRIVATE BILLS.

102.

The word " Fourteen " has been substituted for " Twenty-one."

104.

The word " Seven " has been substituted for " Ten " in the first line, and the word " Ten " for " Fifteen " in last line but one.

Practice of the House.

PRACTICE OF THE HOUSE WITH REGARD TO PRIVATE BILLS.

101.

THAT no Private Bill be brought into this House, but upon a Petition first presented, with a printed copy of the proposed Bill annexed: And that such Petition be signed by the Parties, or some of them, who are Suitors for the Bill.

Petition for Bill, and how to be signed.

102.

THAT all Petitions for Private Bills be presented within *Fourteen* days after the *First Friday* in every Session of Parliament.

Petitions, when to be presented.

103.

THAT all Petitions for Private Bills, with their annexed Bills, and all Petitions for additional Provision in Private Bills, with the proposed Clauses annexed, and all Estate Bills brought from the House of Lords, after having been read a First Time, shall be referred to the Select Committee on Petitions for Private Bills.

Petitions for Private Bills, &c. and Lords' Bills to be referred to Committee on Petitions.

104.

THAT there be *Seven* clear days between the day on which the Petition for any Private Bill relating to *England* shall be presented, and the day on which the Sub-Committee shall sit thereupon; and *Ten* days in case such Bill shall relate to *Scotland* or *Ireland*.

Time between presentation of Petition and Meeting of Sub-Committee.

105.

THAT all Reports of the Select Committee on Petitions for Private Bills, in which they shall report that the Standing Orders have not been complied with, be referred to the Select Committee on Standing Orders.

Reports that Standing Orders have not been complied with, to be referred to Committee on Standing Orders.

106.

THAT all Petitions for leave to dispense with any of the Sessional Orders of The House relating to Private Bills, be referred to the Select Committee on Standing Orders.

Petitions for leave, &c. to be referred to Committee on Standing Orders.

107.

THAT every Private Bill, printed on paper, of a size to be determined upon by Mr. Speaker, be presented to The House, with a Cover of Parchment attached to it, upon which the Title of the Bill is to be written; and the short Title of the Bill, as first entered on the Votes, shall be in accordance with the subject matter of the Bill, and shall not be changed unless by special order of The House.

Printed Bill to be presented.

108.

THAT the proposed amount of all Rates, Tolls, and other matters heretofore left blank in any Private Bill when presented to The House, be inserted in *Italics* in the printed Bill.

Rates, Tolls and other Matters to be inserted in *Italics*.

Practice of the House.

109.

What Bills to be printed, and when.

THAT every Private Bill (except Name and Naturalization Bills) be printed; and printed copies thereof delivered to the door-keepers for the use of the Members before the First Reading.

110.

Time between First and Second Reading.

THAT there be *Three* clear *days* between the First and Second Reading of every Private Bill.

111.

No Petition complaining of Standing Orders—subsequent to Second Reading of Bills.

THAT this House will not receive any Petition complaining solely of a non-compliance with the Standing Orders of The House in respect of any Private Bill, subsequently to the Second Reading of such Bill, unless in the case of those Standing Orders which must necessarily be taken into consideration by the Committee on the Bill.

112.

Second Reading not to take place till Two Months after last Notice.

THAT no Private Bill be read a *Second* time, until after the expiration of *Two calendar months* from the day the last Notice shall have been given in the Newspaper.

113.

Breviate to be prepared.

THAT a Breviate of every Private Bill (except Divorce, Name, Naturalization, and Estate Bills, brought from the House of Lords, and not relating to Crown, Church or Corporation Property, or Property held in trust for public or charitable purposes) be prepared under the direction of Mr. Speaker, and that such Breviate shall contain a Statement of the Object of the Bill and a Summary of the proposed Enactments, and shall state any variation from the general law which will be effected by the Bill.

114.

Breviate to be laid on Table Three days before Second Reading of Bill.

THAT no Private Bill be read a *Second* time until *Three* clear *days* after the Breviate thereof shall have been laid on the Table of The House, and have been printed.

115.

When Fees to be paid.

THAT no Private Bill, or Clause, for the particular interest or benefit of any Person or Persons, County or Counties, Corporation or Corporations, or Body or Bodies of People, be read a Second time, unless Fees be paid for the same.

116.

Bills referred to Committee of Selection.

THAT every Private Bill, not being a Divorce Bill, after having been read a Second time and committed, shall be referred to the Committee of Selection; and every Divorce Bill shall be referred to the Select Committee on Divorce Bills.

117.

Time between Second Reading and Committee.

THAT there be *Seven* clear *days* between the Second Reading of every Private Bill, and the sitting of the Committee thereupon.

117 *a*.

THAT in the case of Railway Bills, if any Report made under the authority of the Board of Trade upon any Bill, or the objects thereof, be laid before the House, such Report shall be referred to the Committee on the Bill

118. THAT

123.

The words "and Thursday" have been inserted.

125 *a*.

This is a new Order, founded on a Resolution of the present Session.

Committee on Petitions.

118.

THAT the Report upon every Private Bill ordered to be printed as amended in Committee, shall lie upon the Table.

Report of Bill when printed as amended, to lie on Table.

119.

THAT a Breviate of the amendments made in every Committee on a Private Bill be submitted to the Chairman of the Committee of Ways and Means, and also laid upon the Table of The House at least the day previous to the consideration of the Report of such Bill.

Breviates of Bills amended in Committee to be laid before Chairman of Ways and Means, &c.

120.

THAT every Private Bill, as amended in Committee, excepting in the cases wherein the Committee shall report the amendments to be merely verbal or literal, be printed at the expense of the Parties applying for the same; and be delivered to the Doorkeepers for the use of the Members, *Three* clear *days* at least before the consideration of the Report.

Bill to be printed after report.

121.

THAT when any Clause or Amendment is offered upon the Report, or the consideration of the Report, or the Third Reading of any Private Bill, such Clause or Amendment shall be referred to the Select Committee on Standing Orders: That such Clause shall be printed: And when any Clause is proposed to be amended, it shall be printed *in extenso*, with every addition or substitution in different type, and the omissions therefrom included in brackets.

Clauses and Amendments proposed on Report or Third Reading to be referred to Select Committee on Standing Orders.

122.

THAT when any Clause or Amendment upon the Report, or the consideration of the Report, or the Third Reading of any Private Bill, shall have been referred to the Select Committee on Standing Orders, no further proceeding on either of such stages shall be had until the Report of the said Select Committee shall have been brought up.

When referred, no further proceeding to be had until Report of Select Committee on Standing Orders.

123.

THAT in order to afford opportunity for the proper discussion of the *Reports* on *Railway Bills* included in the second class, this House will upon *every Tuesday* and *Thursday* proceed to the consideration of Reports on such Bills.

Reports on Railway Bills to be discussed upon every Tuesday.

124.

THAT no Private Bill shall pass through two stages on one and the same day without the special leave of The House.

Bill not to proceed two stages on same day.

125.

THAT (except in cases of urgent and pressing necessity) no motion be made to dispense with any Sessional or Standing Order of The House without due notice thereof.

Notice to be given of motion for dispensation.

ORDER applicable to such RAILWAY BILLS as shall have been ordered to be engrossed in Session 1845.

125 *a*.

That the time between the Second Reading of any such Bill which shall be brought in in the Session of 1846, *and the meeting of the Committeee thereon, be shortened to Three clear Days, the parties giving the regular Notices in the Private Bill Office.*

IV.

THE ORDERS REGULATING THE PRACTICE IN THE PRIVATE BILL OFFICE.

129.

The word "Seven" has been substituted for "Ten," in the first line.

Practice in the Private Bill Office.

PRIVATE BILL OFFICE.

126.

Private Bill Office and Register.

THAT a Book, to be called "THE PRIVATE BILL REGISTER," be kept in a Room, to be called "THE PRIVATE BILL OFFICE," in which Book shall be entered by the Clerks appointed for the business of that Office, the Name, Description and Place of Residence of the Parliamentary Agent in Town, and of the Agent in the Country (if any) soliciting the Bill; and all the Proceedings, from the Petition to the passing of the Bill:—Such Entry to specify, briefly, each day's Proceeding in The House, or in any Committee to which the Bill or Petition may be referred; the day and hour on which the Committee is appointed to sit; the day and hour to which such Committee may be adjourned, and the name of the Committee Clerk. Such Book to be open to public inspection daily, in the said Office, between the hours of Eleven and Six.

127.

Plans, &c. to be lodged.

THAT all Plans, Sections, Books of Reference, Lists of Owners and Occupiers, Estimates, Copies of the Subscription Contracts, and Declarations required by the Standing Orders of The House, be lodged in the Private Bill Office; and that the receipt thereof be acknowledged accordingly, by one of the Clerks of the said Office, upon the said Documents, and upon the Petition, before it is presented.

128.

Copy of Bill annexed to Petition to be deposited in Private Bill Office.

THAT a copy of every Bill annexed to a Petition be deposited in the Private Bill Office on the day of The Presentation of the Petition to The House; and that such Bill be open to the inspection of all parties.

129.

Notice of Meeting of Sub-Committee on Petition, &c.

THAT *Seven* clear *days'* notice in writing be given by the Agent for the Bill to the Clerks in the Private Bill Office of the meeting of any *Sub-Committee* on a Petition for a Private Bill, and *One* clear *day's* notice of the meeting of any Sub-Committee on a Petition for additional Provision, or on an Estate Bill brought from the House of Lords; and that no such notices respectively be given until after such Petition shall have been presented, or such Estate Bill read a First Time.

130.

Notice of Postponement of Sub-Committee.

THAT *One* clear *day's* notice in writing be given by the Agent for the Bill, to the Clerks in the Private Bill Office, of the postponement of the first meeting of any Sub-Committee on a Petition for a Private Bill, or on a Petition for additional Provision, or on an Estate Bill brought from the House of Lords.

131.

Examination Book.

THAT after each Private Bill has been read the First time, its Name (or short Title) shall be copied by the Clerks of the Private Bill Office, from the Clerk's Minute Book of the day, into a separate Book, to be called "THE EXAMINATION BOOK;"—wherein shall be noted the number of such Bill, according to the priority of its being read, and the date of the day of such First Reading.

132.

Custody of Bills.

THAT every Private Bill, after it has been read the First time and the Title copied and examined for the Votes, be in the custody of the Clerks of the Private Bill Office, until laid upon the Table for the Second Reading; and when committed, be taken by the proper Committee Clerk into his charge, till reported.

133.

Examination of Bill and Breviate.

THAT between the First and Second Reading of every Private Bill, every such Bill shall, according to its priority, be examined, with all practicable despatch, by the Clerks of the Private Bill Office, as to its conformity with the Rules and Standing Orders of The House; and if *not* in due form, the Examining Clerk shall specify thereon the page in which any irregularity occurs, and shall enter the day of such Examination, together with his own Name, in the Examination Book.

134.

Notice of Second Reading.

THAT *Three* clear *days'* Notice in writing be given by the Agent for the Bill, to the Clerks in the Private Bill Office, of the day proposed for the Second Reading of every Private Bill.

135.

Notice of Committee.

THAT *Seven* clear *days'* Notice, and in the case of a re-committed Bill, *Three* clear *days'* Notice, in writing, be given by the Agent for the Bill, to the Clerks in the Private Bill Office, of the day and hour appointed for the meeting of the Committee on every Private Bill; and that all the proceedings of any Committee of which such Notice shall not have been given, be void.

136.

Filled-up Bill, to be deposited in Private Bill Office.

THAT a filled-up Bill, signed by the Agent for the Bill, as proposed to be submitted to the Committee on the Bill, and in the case of a re-committed Bill, a filled-up Bill, as proposed to be submitted to the Committee on re-committal, be deposited in the Private Bill Office one clear day before the meeting of the Committee on every Private Bill; and that all Parties shall be entitled to a Copy thereof, upon payment of the Charges for making out Amendments of such Bill.

137.

Notice of Postponement.

THAT notice, in writing, be given by the Clerk to the Committee of Selection, to the Clerks in the Private Bill Office, of the postponement of the first meeting of any Committee on a Private Bill, on the day on which such postponement is made.

138.

Notice of Adjournment.

THAT Notice, in writing, be given by the Committee Clerk to the Clerks in the Private Bill Office, of the day and hour to which each Committee is adjourned.

139.

Notice of Report and of consideration of Report.

THAT *One* clear *day's* Notice, in writing, be given by the Agent for the Bill, to the Clerks in the Private Bill Office, of the day proposed

Practice in the Private Bill Office.

proposed for the Report of every Private Bill, and also for the consideration of the Report of every Private Bill ordered to lie upon the Table.

140.

Bill as amended in Committee to be delivered in.

THAT the Committee Clerk, after the Report is made out, do deliver in to the Private Bill Office a printed Copy of the Bill, with the written Amendments made in the Committee; in which Bill, all the Clauses added by the Committee shall be regularly marked in those parts of the Bill wherein they are to be inserted.

141.

Notice to be given of Clauses, &c. on Report, or on consideration of Report, or Third Reading.

THAT when it is intended to bring up any Clause or to propose any Amendment on the Report, or the consideration of the Report, or on the Third Reading of any Private Bill, Notice shall be given thereof, in the Private Bill Office, on the day previous to such Report, or consideration of the Report, or Third Reading.

142.

Notice of Third Reading.

THAT *One* clear *day*'s Notice, in writing, be given by the Agent for the Bill, to the Clerks in the Private Bill Office, of the day proposed for the *Third Reading* of every Private Bill; and that no such Notice be given until after the Bill to which it relates shall have been reported, or the Report thereof considered.

143.

Amendments on Report, or consideration of Report, and Third Reading.

THAT the Amendments (if any) which are made upon the Report, or consideration of the Report, and on the Third Reading of any Private Bill, and also such Amendments made by the House of Lords as shall have been agreed to by this House, be entered by one of the Clerks in the Private Bill Office, upon the printed Copy of the Bill as amended in Committee; which Clerk shall sign the said Copy so amended, in order to its being deposited and preserved in the said Office.

144.

Examination of Ingrossments.

THAT to insure the Accuracy of the Ingrossment of all Private Bills, the Clerk of the House be required to provide a sufficient number of Clerks, to be called EXAMINERS of INGROSSMENTS.

145.

Certificate of Examination.

THAT no Private Bill be read a Third time until a Certificate is indorsed upon the Paper Bill, and signed by one or more of the Examiners of Ingrossments, declaring that the Ingrossment thereof has been examined, and agrees with the Bill, as amended in Committee, and on the consideration of the Report.

146.

Notice of consideration of Lords' Amendments.

THAT when Amendments made by the House of Lords to any Private Bill sent up to them are to be taken into consideration, Notice be given thereof in the Private Bill Office, the day previous to the same being proposed to be taken into consideration.

147.

Time for delivering Notices.

THAT all *Notices* required to be given in the Private Bill Office be delivered in the said Office before *Six* of the clock in

Practice in the Private Bill Office.

in the *Evening* of any day on which The House shall sit, and before *Two* of the Clock on any day on which The House shall not sit; and that after any day on which The House shall have adjourned, no Notice shall be given for the first day on which it shall again sit.

148.

Daily Lists of Committees sitting.

THAT the Clerks in the Private Bill Office do prepare, daily, Lists of all Private Bills, and Petitions for Private Bills upon which any Committee is appointed to sit; specifying the hour of meeting; and the Room where the Committee shall sit; and that the same be hung up in the Lobby of The House.

149.

Plans to be verified as Mr. Speaker shall direct.

THAT every Plan, and Book of Reference thereto, which shall be certified by The Speaker of the House of Commons, in pursuance of any Act of Parliament, shall previously be ascertained, and verified in such manner as shall be deemed most advisable by The Speaker, to be exactly conformable in all respects to the Plan and Book of Reference which shall have been signed by the Chairman of the Committee upon the Bill.

APPENDIX.

[FORM referred to in Page 45.]

(A.)

No.

Sir,

WE beg to inform you, that Application is intended to be made to Parliament in the ensuing Session for "An Act" [*here insert the Title of the Act*], and that the Property mentioned in the annexed Schedule, or some Part thereof, in which we understand you are interested as therein stated, will be required for the Purposes of the said Undertaking, according to the Line thereof as at present laid out, or may be required to be taken under the usual Powers of Deviation to the Extent of Yards on either side of the said Line which will be applied for in the said Act, and will be passed through in the Manner mentioned in such Schedule.

We also beg to inform you, that a Plan and Section of the said Undertaking, with a Book of Reference thereto, has been or will be deposited with the several Clerks of the Peace of the Counties of [*specify the Counties in which the Property is situate*], on or before the 30th of November, and that Copies of so much of the said Plan and Section as relates to the Parish in which your Property is situate, with a Book of Reference thereto, has been or will be deposited for public Inspection with the Clerk of the said Parish, Schoolmaster of the Parish, Town Clerk of the Royal Burgh, or the Postmaster of the Post Town in or near such Parish [*as the case may be*], on or before the 31st day of December instant, on which Plans your Property is designated by the Numbers set forth in the annexed Schedule.

As we are required to report to Parliament whether you assent to or dissent from the proposed Undertaking, or whether you are neuter in respect thereto, you will oblige us by writing your Answer of Assent, Dissent or Neutrality in the Form left herewith, and returning the same to us with your Signature on or before the day of next; and if there should be any Error or Misdescription in the annexed Schedule, we shall feel obliged by your informing us thereof, at your earliest convenience, that we may correct the same without delay.

We are, Sir,

Your most obedient servants,

To

SCHEDULE referred to in the foregoing Notice, and which is intended to show the Property therein alluded to, and the Manner in which the Line of the deposited Section will affect the same.

— —	Parish, Township, Townland or Extra-parochial Place.	Number on Plans.	Description.	Owner.	Lessee.	Occupier.	Description of the Section of the Line deposited, and of the greatest Height of Embankment and Depth of Cutting.
Property in the Line as at present laid out.							

— —	Parish, Township, Townland, or Extra-parochial Place.	Number on Plans.	Description.	Owner.	Lessee.	Occupier.	
Property within the Limits of the Deviation intended to be applied for.							

Appendix (B.)

ANNO PRIMO VICTORIÆ REGINÆ.
Cap. LXXXIII.

AN ACT to compel Clerks of the Peace for Counties and other Persons to take the Custody of such Documents as shall be directed to be deposited with them under the Standing Orders of either House of Parliament.

WHEREAS the Houses of Parliament are in the habit of requiring that, previous to the introduction of any Bill into Parliament for making certain bridges, turnpike-roads, cuts, canals, reservoirs, acqueducts, waterworks, navigations, tunnels, archways, railways, piers, ports, harbours, ferries, docks and other works, to be made under the authority of Parliament, certain maps or plans and sections, and books and writings, or extracts or copies of or from certain maps, plans or sections, books and writings, shall be deposited in the office of the clerk of the peace for every county, riding or division in England or Ireland, or in the office of the sheriff clerk of every county in Scotland, in which such work is proposed to be made, and also with the parish clerk in every parish in England, the schoolmaster of every parish of Scotland, or in Royal Burghs with the town clerk, and the postmaster of the post town in or nearest to every parish in Ireland, in which such work is intended to be made, and with other persons: And whereas it is expedient that such maps, plans, sections, books, writings and copies or extracts of and from the same, should be received by the said clerks of the peace, sheriff clerks, parish clerks, schoolmasters, town clerks, postmasters and other persons, and should remain in their custody for the purposes hereinafter mentioned; BE it therefore Enacted by The Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, That whenever either of the Houses of Parliament shall by its Standing Orders, already made or hereafter to be made, require that any such maps, plans, sections, books or writings, or extracts or copies of the same, or any of them, shall be deposited as aforesaid, such maps, plans, sections, books, writings, copies and extracts shall be received by and shall remain with the clerks of the peace, sheriff clerks, parish clerks, schoolmasters, town clerks, postmasters and other persons with whom the same shall be directed by such Standing Orders to be deposited, and they are hereby respectively directed to receive and to retain the custody of all such documents and writings so directed to be deposited with them respectively, in the manner and for the purposes and under the rules and regulations concerning the same respectively directed by such Standing Orders, and shall make such memorials and endorsements on and give such acknowledgments and receipts in respect of the same respectively as shall be thereby directed.

Clerks of the Peace, &c. to receive the Documents herein mentioned, and retain them for the purposes directed by the Standing Orders of the Houses of Parliament.

II. And be it further Enacted, That all persons interested shall have liberty to, and the said clerks of the peace, sheriff clerks, parish clerks, schoolmasters, town clerks and postmasters, and every of them, are and is hereby required, at all reasonable hours of the day, to permit all persons interested to inspect during a reasonable time and make extracts from or copies of the said maps, plans, sections, books, writings, extracts and copies of or from the same, so deposited with them respectively, on payment by each person to the clerk of the peace, sheriff clerk, clerk of the parish, schoolmaster, town clerk or postmaster having the custody of any such map, plan, section, book, writing, extract or copy, One Shilling for every such inspection, and the further sum of One Shilling for every hour during which such inspection shall continue after the first hour, and after the rate of Sixpence for every One hundred words copied therefrom.

Clerks of the Peace, &c. to permit such Documents to be inspected or copied by persons interested.

III. And be it further Enacted, That in case any clerk of the peace, sheriff clerk, parish clerk, schoolmaster, town clerk, postmaster or other person, shall in any matter or thing refuse or neglect to comply with any of the provisions hereinbefore contained, every clerk of the peace, sheriff clerk, parish clerk, schoolmaster, town clerk, postmaster or other person shall for every such offence forfeit and pay any sum not exceeding the sum of Five Pounds; and every such penalty shall, upon proof of the offence before any Justice of the Peace for the county within which such offence shall be committed, or by the confession of the party offending, or by the oath of any credible witness, be levied and recovered, together with the costs of the proceedings for the recovery thereof, by distress and sale of the goods and effects of the party offending, by warrant under the hand of such Justice, which warrant such Justice is hereby empowered to grant, and shall be paid to the person or persons making such complaint; and it shall be lawful for any such Justice of the Peace to whom any complaint shall be made of any offence committed against this Act to summon the party complained of before him, and on such summons to hear and determine the matter of such complaint in a summary way, and on proof of the offence to convict the offender, and to adjudge him to pay the penalty or forfeiture incurred, and to proceed to recover the same, although no information in writing or in print shall have been exhibited or taken by or before such Justice; and all such proceedings by summons without information shall be as good, valid and effectual to all intents and purposes as if an information in writing had been exhibited.

Clerks of the Peace, &c. for every omission to comply with the provisions of this Act, liable to the Penalty of 5 *l.*, to be recovered in a summary way.

Appendix.

Appendix (C.)

ANNO PRIMO & SECUNDO VICTORIÆ REGINÆ.

Cap. CXVII.

AN ACT to provide for the Custody of certain Monies paid in pursuance of the Standing Orders of either House of Parliament by Subscribers to Works or Undertakings to be effected under the Authority of Parliament.

WHEREAS it is expedient to provide for the custody of any sums of money paid in pursuance of any Standing Order of the Lords Spiritual and Temporal in Parliament assembled, or of the Commons in Parliament assembled, by subscribers to works or undertakings to be made under the authority of an Act of Parliament; BE it therefore Enacted by The Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, That in all cases in which any sum of money is required by any Standing Order of either House of Parliament, either now or hereafter to be in force, to be paid by the subscribers to any work or undertaking which is to be executed under the authority of an Act of Parliament, if the director or person or directors or persons having the management of the affairs of any such proposed work or undertaking, or any Five of them, shall apply to the Chairman of the Committees of the House of Lords with respect to any such money required by any Standing Order of the Lords Spiritual and Temporal in Parliament assembled, or to The Speaker of the House of Commons with respect to any such money required by any Standing Order of the Commons in Parliament assembled, the said Chairman or the said Speaker may, by warrant or order under his hand, direct that such sum of money shall be paid in manner hereinafter mentioned; that is to say, into the Bank of England in the name and with the privity of the Accountant-general of the Court of Exchequer in England, if the work or undertaking in respect of which the sum of money is required to be paid is intended to be executed in that part of the United Kingdom called England; or into the Bank of England in the name and with the privity of the said Accountant-general, or into any of the Banks in Scotland established by Act of Parliament or Royal Charter in the name and with the privity of The Queen's Remembrancer of the Court of Exchequer in Scotland, at the option of the person or persons making such application as aforesaid, in case such work or undertaking is intended to be executed in that part of the United Kingdom called Scotland; or into the Bank of Ireland in the name and with the privity of the Accountant-general of the Court of Chancery in Ireland, in case such work or undertaking is intended to be made or executed in that part of the United Kingdom called Ireland; and every such application as aforesaid to the said Chairman or Speaker shall be made in writing, and be signed by the director or directors or person or persons having the management of the said work or undertaking, or by any Five of them; and therein shall be stated the name or description of such work or undertaking, and name and place of abode or the names and places of abode of such director or directors, person or persons, and the sum of money required to be paid, and the bank and name into and in which the same is to be paid; and such particulars shall also be set forth in every such warrant or order; and such warrant or order shall be a sufficient authority for the Accountant-general of the said Court of Exchequer in England, the Queen's Remembrancer of the Court of Exchequer in Scotland, and the Accountant-general of the Court of Chancery in Ireland respectively, to permit the sum of money directed to be paid by such warrant or order to be placed to an account opened or to be opened in his name in the Bank mentioned in such warrant or order.

Authority to deposit.

Payment of Deposit.

II. And be it Enacted, That it shall be lawful for the person or persons named in such warrant or order, or the survivors or survivor of them, or any Five of them, to pay the sum of money mentioned in such warrant or order into the Bank mentioned in such warrant or order in the name and with the privity of the officer or person in whose name such sum shall be directed to be paid by such warrant or order, to be placed to his account there ex-parte the work or undertaking mentioned in such warrant or order; and every such sum so paid in, or the securities in or upon which the same may be invested as hereinafter mentioned, shall there remain until the same or such securities as aforesaid shall be paid out of such Bank in pursuance of the provisions of this Act: Provided always, That every sum paid into the Bank of England in the name and with the privity of the Accountant-general of the Court of Exchequer under the provisions of this Act, shall be paid in and placed to his account there pursuant to the method prescribed by an Act passed in the first year of the reign of his late Majesty King George the Fourth, intituled, "An Act for the better securing Money and Effects paid into the Court of Exchequer at Westminster on account of the Suitors of the said Court, and for the Appointment of an Accountant-general and Two Masters of the said Court, and for other Purposes, and pursuant to the General Orders of the said Court, and without Fee or Reward;" and every sum paid into the Bank of Ireland in the name and with the privity of the Accountant-general of the Court of Chancery in Ireland, under the provisions of this Act, shall

1 G. 4. c. 35.

shall be paid in and placed to his account pursuant to the method prescribed by an Act made and passed in the Parliament of Ireland in the twenty-third and twenty-fourth years of the reign of his late Majesty King GEORGE the Third, intituled, "An Act for the better securing the Monies and Effects of the Suitors of the Court of Chancery and Exchequer, by depositing the same in the National Bank, and to prevent the forging and counterfeiting any Draft, Order or other Voucher for the payment or Delivery of such Money and Effects, and for other Purposes," and pursuant to the general orders of the said Court, and without fee or reward. 23 & 24 G. 3. (I.)

Investment of Deposit.

III. And be it Enacted, That if the person or persons named in such warrant or order, or the survivor or survivors of them, or any Five of them, desire to have invested any sum so paid into the Bank of England or the Bank of Ireland, the court in the name of whose Accountant-general the same may have been paid, on a petition presented to such court in a summary way by him or them, may order that such sum shall, until the same be paid out of court in pursuance of this Act, be laid out in the Three per Centum Consolidated or Three per Centum Reduced Bank Annuities, or any Government security or securities.

Repayment of Deposit.

IV. And be it Enacted, That on the termination of the Session of Parliament in which the Petition or Bill for the purpose of making or sanctioning any such work or undertaking shall have been introduced into Parliament, or if such Petition or Bill shall be rejected or finally withdrawn by some proceeding in either House of Parliament, or shall not be allowed to proceed, or if an Act be passed authorizing the making of such work or undertaking; and if in any or either of the foregoing cases the person or persons named in such warrant or order, or the survivor or survivors of them, or the majority of such persons, apply by petition to the court in the name of whose Accountant-general the sum of money mentioned in such warrant or order shall have been paid, or to the Court of Exchequer in Scotland in case such sum of money shall have been paid in the name of the said Queen's Remembrancer, the court in the name of whose Accountant-general or Queen's Remembrancer such sum of money shall have been paid shall, by order, direct the sum of money paid in pursuance of such warrant or order, or the stocks, funds or securities in or upon which the same are invested, and the interest or dividends thereof, to be transferred and paid to the party or parties so applying, or to any other person or persons whom they may appoint in that behalf; but no such order shall be made in the case of any such Petition or Bill being rejected, or not being allowed to proceed, or withdrawn, unless it be proved by the certificate of the Chairman of Committees, if the said Petition or Bill was rejected or not allowed to proceed, or withdrawn in its passage through the House of Lords, or of the said Speaker, if the said Petition or Bill was rejected or not allowed to proceed, or withdrawn during its passage through the House of Commons, that the Petition or Bill has been either so rejected, or not allowed to proceed, or so withdrawn by some proceeding in one or other House of Parliament; which certificate the said Chairman or Speaker shall grant on the application in writing of the person or persons, or the majority of the persons, named in such warrant or order, or the survivor or survivors of them; and every such certificate shall be conclusive proof of such rejection, or not proceeding, or withdrawal.

STANDING ORDERS relative to PUBLIC MATTERS.

I.—Bills respecting Religion.

Religion.

THAT no Bill relating to Religion, or the alteration of the Laws concerning Religion, be brought into this House, until the Proposition shall have been first considered in a Committee of the whole House, and agreed unto by The House.

II.—Bills respecting Trade.

Trade.

THAT no Bill relating to Trade, or the alteration of the Laws concerning Trade, be brought into The House, until the Proposition shall have been first considered in a Committee of the whole House, and agreed unto by The House.

III.—Applications for Public Money.

Public Money.

1.—THAT this House will receive no Petition for any Sum of Money, relating to Public Service, but what is recommended from The Crown.

2.—That this House will not proceed upon any Petition, Motion or Bill, for granting any Money, or for releasing or compounding any Sum of Money owing to The Crown, but in a Committee of the whole House.

3.—That this House will not receive any Petition for compounding any Sum of Money owing to The Crown, upon any branch of the Revenue, without a Certificate from the proper Officer or Officers annexed to the said Petition, stating the Debt, what Prosecutions have been made for the Recovery of such Debt, and setting forth how much the Petitioner and his Security are able to satisfy thereof.

4.—That this House will not proceed upon any Motion for an Address to The Crown, praying that any money may be issued, or that any expense may be incurred, but in a Committee of the whole House.

Relaxation of Privilege of The House, so far as relates to Pecuniary Penalties for Offences.

5.—That in any Bill which, having passed the House of Lords, shall be sent down to this House for their concurrence, or in any Bill which, having passed this House, shall be returned by the Lords with Amendments, it shall appear that any Pecuniary Penalty or Forfeiture is thereby imposed, varied or taken away, The Speaker shall, before the Second Reading of such Bill or Amendments, report to The House his Opinion, whether the object thereof be to impose, vary, or take away any Pecuniary Charge or Burthen on the Subject, or whether the same relates only to the punishment or prevention of Offences; and The House shall thereupon determine whether it may be expedient, in such particular case, to insist upon the exercise of their Privilege to originate all such provisions respecting pecuniary Penalties or Forfeitures.

IV.—Temporary Laws.

Temporary Laws.

THAT the precise duration of every Temporary Law be expressed in the Title of the Bill, and also in a distinct Clause at the end of the Bill, and no where else.

PRESENTATION of PUBLIC PETITIONS.

1.

THAT every Member offering to present a Petition to The House, not being a Petition for a Private Bill, or relating to a Private Bill before The House, do confine himself to a statement of the Parties from whom it comes, of the number of signatures attached to it, and of the material allegations contained in it, and to the reading of the prayer of such Petition.

2.

THAT every such Petition not containing matter in breach of the Privileges of this House, and which, according to the Rules or usual Practice of this House, can be received, be brought to the Table by the direction of The Speaker, who shall not allow any Debate, or any Member to speak upon, or in relation to, such Petition ; but it may be read by the Clerk at the Table, if required.

3.

THAT if such Petition relate to any matter or subject which the Member presenting it is desirous of bringing before The House, and if such Member shall state it to be his intention to make a Motion thereupon, such Member may give Notice that he will make a Motion on some subsequent day, That the Petition be printed with the Votes.

4.

THAT, in the case of such Petition complaining of some present personal grievance, for which there may be an urgent necessity for providing an immediate remedy, the matter contained in such Petition may be brought into discussion on the presentation thereof.

5.

THAT all other such Petitions, after they shall have been ordered to lie on the Table, be referred to the Committee on Public Petitions, without any Question being put.

6.

THAT, subject to the above regulations, Petitions against any Resolution or Bill imposing a Tax or Duty for the current service of the year, be henceforth received, and the usage under which The House has refused to entertain such Petitions be discontinued.

PROMULGATION of STATUTES.

ON 3d *June* 1801, an Address was agreed to, by both Houses;—To present to His Majesty the following RESOLUTIONS; and to entreat His Majesty to give Directions for the more speedy and general Promulgation of the Statutes of the Realm:—And on 9th *June* 1801, His Majesty's Answer thereto was reported, That His Majesty would give Directions accordingly.

1.

THAT it is expedient, for the more speedy and general Promulgation of the Laws of the United Kingdom of *Great Britain* and *Ireland*, that His Majesty's Printer should be authorized and directed to print not less than 5,500 Copies of every Public General Statute, and 306 Copies of every Public Local and Personal Statute.

2.

THAT His Majesty's Printer should be authorized and directed to print and deliver, or transmit (by the Post, or otherwise,) so soon as possible after each Bill has received the Royal Assent, the aforesaid number of 5,500 Copies of each Public General Statute.

3.

THAT His Majesty's Printer should be authorized and directed to print, and deliver or transmit in like manner, the aforesaid 306 Copies of each Public Local and Personal Statute.

4.

THAT every Chief Magistrate and Head Officer of any City, Borough or Town Corporate in *England* and *Ireland*, and of every Royal Burgh in *Scotland*, and every Sheriff, Clerk of the Peace, and Town Clerk, in the United Kingdom of *Great Britain* and *Ireland*, receiving any such Copies, should preserve them for the public Use, and transmit them to his Successor in office.

5.

THAT for the purpose of effectuating the Promulgation of Private Statutes (if the Parties interested therein shall think proper) and also for making compensation to the Clerk of the Parliaments and Officers of the House of Lords (in lieu of their annual average emoluments arising from the Office Copies of such Statutes) without bringing any new charge upon the Public, the Parties interested in every such Statute should make good such expense and compensation; "and that thereupon such printed Copies of every such Statute should be made judicially admissible in evidence, by adding thereto a Clause declaring the same to be a Public Act."

6.

THAT His Majesty's Printer should also be authorized and directed to class the General Statutes, and the Public Local and Personal Statutes of each Session, in separate Volumes, and to number the Chapters of each class separately; and also, to print One general Title to each Volume together with a general Table of all the Acts passed in that Session.

In Session 1803, it was resolved by both Houses of Parliament,

That so much of the 5th Resolution of the Lords and Commons, of the Session 1801, as provided that printed copies of Private Statutes shall be made judicially admissible in evidence by adding thereto a Clause declaring the same to be a public Act, shall be vacated;

That so much of the Resolutions of the Lords and Commons, of Session 1801, as relates to the printing and distribution of Private Acts of Parliament, shall be construed to extend only to such Acts of Parliament in which a Clause shall be inserted, declaring that such Act shall be printed by the Printer to the King's Most Excellent Majesty, and may be given in evidence in all Courts of Justice, and before all Judges and Justices, who shall take judicial notice thereof, in like manner as if the same had been declared to be a Public Act. Com. Jour. 58. 273. 281.

By 41 Geo. III. c. 90. s. 9. it was enacted,

That the Statutes of *England* and of *Great Britain*, printed and published by the King's Printer, shall be received as evidence in any Court in *Ireland*, and the Statutes of *Ireland* prior to the Union, so printed and published, shall be received as evidence in any Court in *Great Britain*.

STANDING ORDERS

OF

THE HOUSE OF COMMONS.

1685—1845.

Ordered, by The House of Commons, *to be Printed,*
8 *August* 1845.

PRIVATE BILLS:

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ABSTRACT of STANDING ORDERS relating to the passing of PRIVATE BILLS through The HOUSE of COMMONS.

STAGES OF THE PROCEEDINGS.	NOTICES AND APPLICATIONS.	DEPOSITS.	INTERVALS TO BE OBSERVED
	No. of Standing Order.	No. of Standing Order.	No. of Standing Order.
Previous to the commencement of Proceedings in The House.	15.—Notice in the London, Edinburgh or Dublin Gazettes [as the case may be], and in some one and the same County Paper, in Three successive Weeks of October and November, or either of them.	23.—Deposit with the Clerk of the Peace, Plans, Sections and Books of Reference on or before the 30th of November. 23*a*.—Deposit at Board of Trade, Plans, &c. on or before the 30th of November. 27.—Deposit with the Parish Clerks, &c. &c., Parochial Plans, Sections and Books of Reference on or before the 31st of December.	
Additional under special circumstances:			
If Lands or Houses to be taken.	17.—Application to Owners, Lessees and Occupiers on or before the 31st of December.	28.—Deposit in the Private Bill Office, Plans, Sections and Books of Reference on or before the 31st of December.	
If a First Class Bill -	18.—Notice on the Church Doors of all Parishes affected on Three successive Sundays in October and November, or either of them.	17.—Deposit in the Private Bill Office, Lists of Owners, Lessees and Occupiers, Estimates and Declarations, before the Presentation of the Petition.	
If to make a Burial Ground.	20.—Notice on the Church Doors of every adjoining Parish on Three successive Sundays in October and November, or either of them. 21.—Notice to the Owner and Occupier of every Dwelling-house within 300 Yards of the intended Burial Ground on or before the 31st of December.	44.—Deposit in the Private Bill Office, Copy of Deed of Partnership, or of Subscription Contract; also a Declaration before Presentation of Petition.	
Presentation of the Petition for a Bill.	36.—Notice to Owners and Occupiers, if the Bill be to relinquish a work authorized by a former Act, before the Presentation of the Petition.	35.—Deposit in the Vote Office printed Copies of Subscription Contract, or of Declaration and Estimate, before the Presentation of the Petition.	102.—Petition to be sented within Fou Days after the Friday in the Sessi
Committee on Petitions	129.—Notice in the Private Bill Office of the First Meeting of the Committee, Seven clear Days. 130.—Notice in the Private Bill Office of the Postponement of the First Meeting of the Committee, One clear Day.	- - - - - - - -	104.—Between the F tation of Petition a Meeting of the Cc tee, if an Englis Seven clear Days Scotch or Irish Bi clear Days.
Second Reading - -	134.—Notice in the Private Bill Office of the Second Reading, Three clear Days.	- - - - - - - -	110.—Between the Fir Second Reading, clear Days. 112.—Second Readin within Two M after the last Not the Newspapers. 114.—Second Readin within Three clea after the Breviate have been laid on the

ABSTRACT of Standing Orders relating to the passing of Private Bills through the House of Commons—*continued.*

STAGES OF THE PROCEEDINGS.	NOTICES AND APPLICATIONS.	DEPOSITS.	INTERVALS TO BE OBSERVED.
Committee on the Bill	No. of Standing Order. 135.—Notice in the Private Bill Office of the Meeting of the Committee, Seven clear Days.	No. of Standing Order. 136.—Deposit in the Private Bill Office a filled-up Bill, on giving Notice of the Committee.	No. of Standing Order. 117.—Between Second Reading and the Meeting of the Committee, Seven clear Days.
Postponement of the Committee.	137.—Notice in the Private Bill Office of the Postponement of First Meeting of the Committee, on the Day when Postponement is made.		
Re-committal of the Bill	135.—Notice in the Private Bill Office of the Meeting of the Committee, Three clear Days.	136.—Deposit in the Private Bill Office a filled-up Bill, as proposed to be submitted to the Committee, One clear Day before the Meeting of the Committee.	
Report - - -	139.—Notice in the Private Bill Office of the Report, and Consideration of the Report, One clear Day. 141.—Notice in the Private Bill Office of any Clause to be brought up, or Amendments to be made on the Report or Consideration of the Report, on the Day previous to such Report or Consideration.	120.—Deposit with the Door-keepers, Prints of the Bill as amended Three clear Days before the Report is considered.	
Third Reading -	142.—Notice in the Private Bill Office of the Third Reading, One clear Day. 141.—Notice in the Private Bill Office of any Clause to be brought up, or Amendments to be made on the Third Reading, on the Day previous to such Third Reading.		
Consideration of Lords' Amendments.	146.—Notice in the Private Bill Office of the Consideration of Lords' Amendments on the Day previous to such Consideration.		

1.

I.

APPOINTMENT OF COMMITTEES.

Appointment of Committees.

STANDING ORDERS.

APPOINTMENT OF COMMITTEES.

1.

Committee on Petitions for Private Bills.

That a Committee be appointed at the commencement of every Session, consisting of *Forty-two* Members, of whom *Three* shall be a Quorum; and such Committee shall be denominated "The Select Committee on Petitions for Private Bills."

2.

Sub-Committees on Petitions for Private Bills.

That the Select Committee on Petitions for Private Bills have leave to divide themselves into Sub-Committees, and to make regulations for the transaction of business.

3.

Committee on Standing Orders.

That a Committee be appointed at the commencement of every Session, consisting of *Seven* Members, together with the Chairmen of the Committee and of the Sub-Committees on Petitions for Private Bills, of whom *Five* shall be a Quorum; and such Committee shall be denominated "The Select Committee on Standing Orders."

4.

Committee of Selection.

That a Committee be appointed at the commencement of every Session, consisting of the Chairman of the Select Committee on Standing Orders and of the Chairmen of the Committee and of the Sub-Committees on Petitions for Private Bills, of whom *Three* shall be a Quorum; and such Committee shall be denominated "The Committee of Selection."

5.

Committee on Opposed Private Bills.

That the Committee on every "Opposed Private Bill," not being a Divorce Bill, shall consist of the Members on The Speaker's List of that County or that Division of a County to which the Bill specially relates, and of such number of "Selected Members" not locally interested in the Bill in progress, and in such proportion, as the circumstances of each case shall in the judgment of the Committee of Selection require, of which Committee *Five* (including the Quorum of selected Members) shall be a Quorum.

Appointment of Committees.

6.

Committee on Unopposed Private Bills.

THAT the Committee on every "Unopposed Private Bill," not being a Divorce Bill, and which shall have originated in this House, shall consist of the Chairman of the Committee of Ways and Means, together with the Members ordered to prepare and bring in the Bill; and that the Committee on every "Unopposed Private Bill," not being a Divorce Bill, which shall have been brought from the House of Lords, shall consist of the Chairman of the Committee of Ways and Means, and of not less than *Two* other Members to be named by the Committee of Selection; and that the Chairman of the Committee of Ways and Means shall be the Chairman of the Committee on every "Unopposed Private Bill," not being a Divorce Bill; and that such Chairman and *One* of such other Members shall be the Quorum required to be present during the whole progress of the Bill through such Committee.

7.

Committee on Divorce Bills.

THAT a Committee be appointed at the commencement of every Session, consisting of not more than *Fifteen* Members, of whom *Five* shall be a Quorum; and such Committee shall be denominated "THE SELECT COMMITTEE ON DIVORCE BILLS."

8.

Members not to be added to Committee, except by special order.

THAT after any Committee on a Private Bill shall have been formed, no Members be added thereto, unless by special order of The House

II.
DUTIES OF COMMITTEES.

Committee on Petitions.

DUTY OF THE SELECT COMMITTEE ON PETITIONS FOR PRIVATE BILLS.

9.

Compliance with Standing Orders to be proved before Sub-Committee.

THAT the compliance with the following Standing Orders shall be proved before one of the Sub-Committees of the Select Committee on Petitions for Private Bills, and any parties shall be at liberty to appear and be heard, by themselves, their agents and witnesses, upon any Petition which may be referred to such Committee, complaining of a non-compliance with the Standing Orders, provided the matter complained of be specifically stated in such Petition, and that the party affected by the non-compliance with the Standing Orders be cognizant of, and consent to, the presentation of the Petition, and that such Petition be presented *Three* clear days before the first meeting of such Sub-Committee.

10.

Proof of Notices on Church-doors, where Bills relate to *England*.

THAT in the case of any application for a Private Bill relating to *England*, the Committee may admit proof of the compliance with the Standing Orders which refer to the affixing to the Church-doors the requisite Notices, on the production of affidavits sworn before any Justices in Petty Sessions assembled, for the division within which the Churches on which the Notices have been affixed shall be respectively situated.

11.

Standing Orders may be proved on Affidavit.

Scotland.

THAT in the case of any application for a Private Bill relating to *Scotland*, the Committee may admit proof of the compliance with the Standing Orders of this House, on the production of Affidavits sworn before any Sheriff Depute or his Substitute there, whose Certificate shall be admitted as evidence of such proof having been made, unless the Committee shall require further evidence.

12.

Standing Orders may be proved on Affidavit.

Ireland.

THAT in the case of any application for a Private Bill relating to *Ireland*, the Committee may admit proof of the compliance with the Standing Orders of The House, on the production of Affidavits sworn before any Judge or Assistant Barrister of that part of the United Kingdom, whose Certificate shall be admitted as evidence of such proof having been made, unless the Committee shall require further evidence.

13.

Sub-Committee to report facts when Standing Orders have not been complied with.

THAT when the Sub-Committee shall report to The House that the Standing Orders have not been complied with, they do report the facts upon which their decision is founded, and any special circumstances connected with the case.

14.

Notices of Application.

THAT Notices be given in all cases where Application is intended to be made for leave to bring in a Bill relating to the subjects included in any of the following Classes:—

1st CLASS. Burial Ground, Making, Maintaining or Altering.
Church or Chapel, Building, Enlarging, Repairing or Maintaining.
City or Town, Paving, Lighting, Watching, Cleansing or Improving.
Crown, Church, or Corporation Property, or Property held in Trust for Public or Charitable Purposes.
Fishery, Making, Maintaining or Improving.
Land, Inclosing, Draining or Improving.
Market or Market-place.
Local Court, Constituting.
Market or Market-place, Erecting, Improving, Repairing, Maintaining, or Regulating.
Poor, Maintaining or Employing.
Poor Rate.
Stipendiary Magistrate, or any Public Officer, Payment of, if not out of County Rate.

2d CLASS.—Making, Maintaining, Varying, Extending or Enlarging any

Aqueduct.	Navigation.
Archway.	Pier.
Bridge.	Port.
Canal.	Railway.
Cut.	Reservoir.
Dock.	Tunnel.
Ferry.	Turnpike Road.
Harbour.	Waterwork.

3d CLASS.—Continuing or amending an Act passed for any of the purposes included in this or the two preceding Classes, where no further work than such as was authorized by a former Act is proposed to be made.
Company, Incorporating or giving Powers to.
County Rate.
County or Shire Hall, Court House.
Gaol or House of Correction.
Letters Patent, Confirming, Prolonging or Transferring the Term of.
Powers to sue and be sued, Conferring.
Stipendiary Magistrate, or any Public Officer, Payment of, if out of County Rate.

15.

Notices to be published.

THAT such Notices be published in *Three* successive *Weeks* in the months of *October* and *November*, or either of them, immediately preceding the Session of Parliament in which Application for the Bill shall be made, in the *London*, *Edinburgh* or *Dublin Gazette*, as the case may be, and in some one and the same Newspaper of the County in which the City, Town or Lands to which such Bill relates shall be situate; or if there be no Newspaper published therein, then in the Newspaper of some County adjoining or near thereto; or if such Bill do not relate to any particular City, Town or Lands, in the *London*, *Edinburgh* or *Dublin Gazette* only, as the case may be; and that all Notices required to be inserted in the *London*, *Edinburgh* or *Dublin Gazette*, be delivered at the Office of the Gazette in which the insertion is required to be made, during the usual office

Committee on Petitions.

office hours, at least *Two* clear *days* previous to the publication of the Gazette, and that the receipt of the Printer for such Notice shall be proof of its due delivery.

16.

Intention to levy or alter Tolls to be stated.

THAT if it be the intention of the Parties applying for leave to bring in a Bill, to obtain powers for the compulsory purchase of Lands or Houses, or to levy any Tolls, Rates or Duties, or to alter any existing Tolls, Rates or Duties, or to confer, vary, or extinguish any exemptions from payment of Tolls, Rates or Duties, or any other rights or privileges, the Notices shall specify such intention.

17.

Application to Owners, &c.

THAT on or before the 31st day of *December* immediately preceding the application for a Bill by which any Lands or Houses are intended to be taken, or an extension of the time granted by any former Act for that purpose is sought, application in writing, (and in cases of Bills included in the second class, in the form, as near as may be, set forth in the Appendix marked (A.)), be made to the Owners or reputed Owners, Lessees or reputed Lessees, and Occupiers, either by delivering the same personally, or by leaving the same at their usual Place of Abode, or in their absence from the United Kingdom, with their Agents respectively, of which application the production of a written acknowledgment by the party applied to shall, in the absence of other proof, be sufficient evidence; and that separate Lists be made of the Names of such Owners, Lessees and Occupiers, distinguishing which of them have assented, dissented, or are neuter in respect thereto. (*See* as to depositing said Lists in Private Bill Office, No. 127.)

ORDERS specially relating to BILLS of the FIRST CLASS.

18.

Notices on Church Doors.

THAT in cases of Bills included in the First Class, Notices shall also be affixed to the Outer Doors of the Churches of every Parish to which they specially relate, for *Three* successive *Sundays* in the months of *October* and *November*, or either of them.

Crown, &c. Property.

19.

Notice to Owners, &c.

THAT in cases of intended Application to Parliament for Bills relating to Crown, Church or Corporation Property, or Property held in Trust for Public or Charitable Purposes, Notice in writing of such intention be given to the Owners or reputed Owners of such Property, and to the Lessees or reputed Lessees of such Property, holding Leases granted for a life or lives, or for any term of Twenty-one Years or upwards; such Notice to be given as aforesaid previous to the Presentation of the Petition for leave to bring in the Bill, or, in the case of a Bill brought from The House of Lords, previous to the First Reading thereof.

Committee on Petitions.

Burial Grounds.

20.

Notices on Church Doors.

THAT Notices be affixed to the Outer Doors of the Churches of every Parish adjoining that in which a Burial Ground is proposed to be made, for *Three* successive *Sundays* in the months of *October* and *November*, or either of them.

21.

Notice to Owners and Occupiers of Houses.

THAT on or before the *Thirty-first* day of *December* immediately preceding the Application for any Bill for making a Burial Ground, Notice be given to the Owner and Occupier of every Dwelling House situated within 300 Yards of the Boundary of the proposed Burial Ground.

ORDERS specially relating to BILLS of the SECOND CLASS.

22.

Notices to contain Names of Parishes, &c.

THAT in cases of Bills included in the Second Class, all Notices shall contain the Names of the Parishes, Townships, Townlands and extra-parochial places from, in, through, or into which the Work is intended to be made, maintained, varied, extended or enlarged, and shall state the time and place of deposit of the Plans, Sections and Books of Reference respectively, with the Clerks of the Peace, Parish Clerks, Schoolmasters, Town Clerks, and Clerks of Unions, as the case may be. (*See* Nos. 23 & 27.)

23.

Plans, &c. with Clerk of the Peace.

THAT a Plan, and also a duplicate of such Plan, on a scale of not less than Four Inches to a Mile, be deposited for public inspection at the office of the Clerk of the Peace for every County, Riding or Division in *England* or *Ireland*, or in the Office of the Principal Sheriff Clerk of every County in *Scotland*, in or through which the Work is proposed to be made, maintained, varied, extended or enlarged, on or before the 30th day of *November*, immediately preceding the Session of Parliament in which Application for the Bill shall be made; which Plans shall describe the line or situation of the whole of the Work, and the Lands in or through which it is to be made, maintained, varied, extended or enlarged, or through which every communication to or from the Work shall be made, together with a Book of Reference containing the Names of the Owners or reputed Owners, Lessees or reputed Lessees, and Occupiers of such Lands respectively; and in the case of Bills relating to Turnpike Roads, Cuts, Canals, Reservoirs, Aqueducts and Railways, a Section and Duplicate thereof, as hereinafter described, shall likewise be deposited with such Plan and Duplicate.

23 *a*.

Plans, &c. at Board of Trade.

THAT in the case of Railway Bills, a Copy of all Plans, Sections, and Books of Reference, required by the Orders of the House to be deposited in the Office of any Clerk of the Peace or Sheriff Clerk, on or before the 30th day of November immediately preceding the Session of Parliament in which application for the Bill shall be made, together with a published Map to a scale of not less than half an inch to a mile, with the Line of Railway delineated thereon, so as to show its general course and direction, shall on or before the same day be deposited in the Office of the Railway Department of the Board of Trade.

24. THAT

Committee on Petitions.

24.

Lands within Deviation to be on Plan.

THAT where it is the intention of the Parties to apply for powers to make any lateral deviation from the line of the proposed Work, the limits of such deviation shall be defined upon the Plan, and all Lands included within such limits shall be marked thereon, and that in all cases, excepting where the whole of such Plan shall be upon a scale of not less than a *quarter* of an *inch* to every 100 feet, an additional Plan of any Building, Yard, Court-Yard or Land within the curtilage of any Building, or of any Ground cultivated as a Garden, either on the original line or included within the limits of the said deviation, shall be laid down on the said Plan or on the additional Plan deposited therewith, upon a scale of not less than a *quarter* of an *inch* to every 100 feet. (*See* Fig. 3.)

Buildings, &c. on enlarged Scale.

25.

Section.

THAT the Section be drawn to the same horizontal scale as the Plan, and to a vertical scale of not less than *one inch* to every 100 feet, and shall show the surface of the ground marked on the Plan, and the intended level of the proposed Work, and a datum horizontal line, which shall be the same throughout the whole length of the Work, or any Branch thereof respectively, and shall be referred to some fixed point stated in writing on the Section, near either of the termini. (*See* Line D. D., Fig. 2.)

26.

Clerks of Peace to indorse a Memorial on Plans, &c.

THAT the Clerks of the Peace or Sheriff Clerks, or their respective Deputies, do make a Memorial in writing upon the Plans, Sections and Books of Reference so deposited with them, denoting the time at which the same were lodged in their respective offices, and do at all seasonable hours of the day permit any person to view and examine one of the same, and to make copies or extracts therefrom; and that *one* of the two Plans and Sections so deposited, be sealed up and retained in the possession of the Clerk of the Peace or Sheriff Clerk until called for by order of one of the Two Houses of Parliament. (*See* Appendix, Act 1 Vict. c. 83.)

27.

Plan and Section with Parish Clerk, &c.

THAT on or before the 31st day of *December*, a copy of so much of the said Plans and Sections as relates to each Parish in or through which the Work is intended to be made, maintained, varied, extended or enlarged, (*see* Fig. 5.), together with a Book of Reference thereto, be deposited with the Parish Clerk of each such Parish in *England*, the Schoolmaster of each such Parish in *Scotland*, (or in Royal Burghs with the Town Clerk), and the Clerk of the Union within which such Parish is included in *Ireland*. (*See* Appendix, Act 1 Vict. c. 83.)

28.

Time for Deposit in Private Bill Office.

THAT on or before the 31st day of *December*, a copy of the said Plans, Sections and Books of Reference be deposited in the Private Bill Office of this House.

29.

Estimate and Subscription Contract.

THAT an Estimate of the Expense be made and signed by the person making the same, and that a Subscription be entered into under a Contract, made as hereinafter described, to *three-fourths* the amount of the Estimate. (*See* as to depositing Estimate and Subscription Contract in Private Bill Office, No. 127.)

30.

Cases wherein Declaration may be substituted for Subscription Contract.

THAT in cases where the Work is to be made by means of Funds, or out of Money to be raised upon the credit of present Surplus Revenue, belonging to any Society or Company, or under the control of Directors, Trustees, or Commissioners, as the case may be, of any existing Public Work, a Declaration stating those facts, and setting forth the nature of such control, and the nature and amount of such Funds or Surplus Revenue, and given under the common seal of the Society or Company, or under the hand of some authorized Officer of such Directors, Trustees or Commissioners, may be substituted in lieu of the Subscription Contract, and in addition to the Estimate of the Expense. (*See* as to depositing Subscription Contracts in Private Bill Office, No. 127.)

31.

Cases wherein Declaration and Estimate of Amount of Rates may be substituted for Subscription Contract.

THAT in cases where the Work is to be made out of Money to be raised upon the Security of the Rates, Duties or Revenue to be created by or to arise under any Bill, under which no private or personal pecuniary profit or advantage is to be derived, a Declaration stating those facts, and setting forth the means by which Funds are to be obtained for executing the Work, and signed by the Party or Agent soliciting the Bill, together with an Estimate of the probable amount of such Rates, Duties or Revenue, signed by the Person making the same, may be substituted in lieu of the Subscription Contract, and in addition to the Estimate of the Expense. (*See* as to depositing Estimate and Subscription Contract in Private Bill Office, No. 127.)

32.

Contract to contain Christian and Surnames of Parties.

THAT every Subscription Contract contain the Christian and Surnames, Description and Place of Abode of every Subscriber; his Signature to the amount of his Subscription, with the amount which he has paid up; and the Name of the Party witnessing such Signature, and the date of the same respectively.

33.

One-twentieth part of amount subscribed to be deposited.

THAT previous to the presentation of a Petition for a Bill, except a Railway Bill (for which *see* Order 39 *a*) a sum equal to *One-twentieth* part of the amount subscribed shall be deposited with the Court of Chancery in *England*, if the Work is intended to be done in *England*, or with the Court of Chancery in *England* or the Court of Exchequer in *Scotland*, if such Work is intended to be done in *Scotland*, and with the Court of Chancery in *Ireland*, if such Work is intended to be done in *Ireland*. (*Vide* Appendix C.)

34.

THAT no Subscription Contract shall be valid, excepting in the case of Railway Bills, (for which *see* Order 40), unless it be entered into subsequent to the close of the Session of Parliament previous to that in which application is made for leave to bring in the Bill to which it relates, and unless the Parties subscribing to it bind themselves, their Heirs, Executors and Administrators, for the Payment of the Money so subscribed.

Not valid unless entered into subsequent to close of previous Session.

35.

THAT previous to the presentation of a Petition for a Bill, copies of the Subscription Contract, with the Names of the Subscribers arranged in alphabetical order, and the amount of the Deposit respectively paid up by each such Subscriber, or where a Declaration and Estimate of the probable amount of Rates and Duties are substituted in lieu of a Subscription Contract, copies of such Declaration or of such Declaration and Estimate be printed at the expense of the Promoters of the Bill, and be delivered at the Vote Office for the use of the Members of The House.

Copies of Subscription Contract, or of Declaration, &c., to be printed, and delivered in Vote Office.

36.

THAT previous to the presentation of a Petition for a Bill whereby any part of a Work authorized by any former Act is intended to be relinquished, Notice in writing of such Bill be given to the Owners or reputed Owners and Occupiers of the Lands in which the part of the said Work intended to be thereby relinquished is situate.

Notice to Owners, &c., when the Bill is to abridge any Public Work.

36 *a*.

THAT (except in cases where Notices are required to be affixed on church-doors) no Notice given, nor Application made on a Sunday or Christmas-day, or before Eight o'clock in the forenoon, or after Eight o'clock in the afternoon of any day, shall be deemed valid.

Cuts, Canals, Reservoirs, Aqueducts and Navigations.

37.

THAT in all cases where it is proposed to divert into any intended Cut, Canal, Reservoir, Aqueduct, or Navigation, or into any intended variation, extension, or enlargement thereof respectively, any Water from any existing Cut, Canal, Reservoir, Aqueduct, or Navigation, whether directly or derivatively, and whether under any agreement with the Proprietors thereof or otherwise, the Notices shall contain the name of every such existing Cut, Canal, Reservoir, Aqueduct or Navigation, the Waters supplying which, by virtue of any Act of Parliament, will either directly or derivatively flow or proceed into any such intended Cut, Canal, Reservoir, Aqueduct, or Navigation, or into any intended variation, extension or enlargement thereof.

When it is intended to divert Water from an existing Cut, &c., into an intended Cut, &c., the name of the existing Cut, &c., to be mentioned.

38.

THAT in all cases where it is proposed to make, vary, extend or enlarge any Cut, Canal, Reservoir, Aqueduct or Navigation, the Plan shall describe the Brooks and Streams to be directly

Plan to describe Brooks, &c. to be diverted.

diverted into such intended Cut, Canal, Reservoir, Aqueduct or Navigation, or into any variation, extension or enlargement thereof respectively, for supplying the same with Water; it shall also exhibit the height of the several Embankments, and the depth of the several Cuttings respectively, on a scale specified thereon (*see* Fig. 1); and in cases of Bills for improving the Navigation of any River, there shall be a Section which shall specify the Levels of both Banks of such River, and where any alteration is intended to be made therein, it shall describe the same by feet and inches.

Railways.

39.

Copy of Bill annexed to Petition to be deposited at Board of Trade.

THAT in the case of Railway Bills, a Copy of every Bill annexed to a Petition be deposited in the Office of the Railway Department of the Board of Trade, on or before the day of presentation of the Petition to the House.

39 *a.*

One-tenth part of Amount subscribed to be deposited.

THAT previous to the presentation of a Petition for a Railway Bill, a sum equal to One-tenth part of the amount subscribed shall be deposited with the Court of Chancery in England, if the Railway is intended to be made in England; or with the Court of Chancery in England or the Court of Exchequer in Scotland, if such Railway is intended to be made in Scotland; and with the Court of Chancery in Ireland, if such Railway is intended to be made in Ireland: *Provided, that the above Order shall not apply to any Railway Bills which have been before Parliament during the present Session, and which may be again introduced in the next Session, or which are already provisionally registered, or the subscription contract for which may be already executed, or partly executed on the Twenty-ninth day of July; but with respect to such Bills, a sum equal to One-twentieth of the amount subscribed shall be deposited as before provided.*

40.

Subscription Contract not valid unless entered into subsequent to the last day of receiving Petitions in previous Session.

THAT as regards Railway Bills, no Subscription Contract shall be valid, unless it be entered into subsequent to the day fixed in the Session of Parliament previous to that in which application is made for leave to bring in the Bill to which it relates, as the last day on which Petitions for Private Bills may be presented, and unless the parties subscribing to it bind themselves, their heirs, executors and administrators, for the payment of the money so subscribed.

40 *a.*

Distances to be marked in Miles and Furlongs, and memorandum of Curves.

THAT in all cases where it is proposed to make, vary, extend, or enlarge any Railway, the Plan shall exhibit thereon the distances in miles and furlongs, from one of the termini; and a memorandum of the radius of every curve not exceeding one mile in length shall be noted on the Plan in furlongs and chains.

41.

Line of Railway on Section to correspond with upper surface of Rails.

THAT in every Section of a Railway, the Line marked thereon shall correspond with the upper surface of the rails.

41 *a.* THAT

Committee on Petitions.

41 *a.*

Vertical measures to be marked at change of gradient.

THAT distances on the Datum Line shall be marked in miles and furlongs, to correspond with those on the Plan; that a vertical measure from the Datum Line to the Line of the Railway shall be marked in feet and inches at each change of the gradient or inclination; and that the proportion or rate of inclination between each such change shall also be marked.

42.

Height of Railway, over or under surface, to be marked at every crossing of a Road, &c.

THAT the height of the Railway over or under the surface of every turnpike-road, public carriage-road, navigable River, Canal, or Railway, or junction with a Railway, and the height and span of every Arch of all Bridges and Viaducts, shall be marked in figures at every crossing thereof, and the extreme height over or under the surface of the ground shall be marked for every embankment and cutting; and if any alteration in the present level or rate of inclination of any turnpike-road, carriage-road, or Railway be intended, then the same shall be stated on the said Section, and each numbered; also that Cross Sections, in reference to the said numbers, on a horizontal scale of one inch to every 330 feet, and on a vertical scale of one inch to every 40 feet, shall be added, to explain the nature of such alterations more clearly.

43.

Tunnelling and Viaduct to be marked.

THAT where tunnelling as a substitute for open cutting, or a viaduct as a substitute for solid embankment, be intended, the tunnelling shall be marked by a dotted line on the Plan, and shall also be marked on the Section, and the viaduct shall be marked on the Section.

ORDERS applicable to such RAILWAY BILLS as shall have been ordered to be engrossed in Session 1845.

43 *a.*

Notices in Newspapers and Gazettes.

That the Promoters of such Bills shall give notice by advertisement for Six successive weeks in the months of October and November in the London, Edinburgh or Dublin Gazette, as the case may be, and in the local Paper or Papers which may be usually in circulation in the part of the country through which the line of Railway is proposed to pass, of their intention to present a Petition for the re-introduction of any such Bill.

43 *b.*

Committee to examine whether Petition be the same as that in 1845.

That upon any Petition for leave to bring in a Railway Bill which shall be presented to the House during the Session of 1846, *and referred to the Committee on Petitions, the Committee do examine whether the said Petition be the same in substance as any Petition for the same purpose, and from the same parties, which was presented in the Session of* 1845; *and in that case, whether any Bill brought into the House in pursuance of such Petition in the Session of* 1845, *was pending in either House of Parliament*

Committee on Petitions.

on the termination of such Session; and if so, whether a Subscription Contract, as required by the Standing Orders, binding in the usual way the Subscribers to the Undertaking, has been entered into and is valid at the time of such inquiry, and whether the deposit of 5l. per cent. upon such Subscription is lodged in the manner required by the Standing Orders.

43 c.

If Petition be the same as in 1845, &c., and Bill pending, if ordered to be ingrossed, Standing Orders to be held complied with.

That in such case, and on proof of such Notice having been given as aforesaid, and in case it should appear that such Bill had, at the end of the Session of 1845, *been pending in the House of Lords, or if pending in the House of Commons, had been ordered to be ingrossed, the Standing Orders with respect to any such Bill shall be held to have been complied with.*

ORDERS specially relating to BILLS of the THIRD CLASS.

44.

Documents to be deposited in Private Bill Office

THAT as respects all Bills of the Third Class for the Incorporation of Joint Stock Companies, or proposed Companies for carrying on any Trade or Business, or for conferring upon such Companies the power of suing and being sued, there be deposited in the Private Bill Office, previous to the Presentation of the Petition for the Bill, a copy of the Deed or Agreement of Partnership (if any) under which the Company or proposed Company is acting, or of the Subscription Contract (if any), together with a declaration in writing stating the following matters:—

1st.—The present and proposed amount of the Capital of the Company.

2d.—The number of Shares, and the amount of each Share.

3d.—The number of Shares subscribed for.

4th.—The amount of Subscriptions paid up.

5th.—The names, residences and descriptions of the Shareholders or Subscribers (so far as the same can be made out), and of the actual or provisional Directors, Treasurers, Secretaries or other officer, if any.

And such documents shall be verified by the signature of some authorized officer of the Company or proposed Company (if any), and by some responsible party promoting the Bill. (*See* as to depositing documents in Private Bill Office, Order, page 51, No. 127.)

Letters Patent.

45.

Name of Invention to be prefixed in Capitals to Notice.

THAT in cases of Bills for confirming or prolonging the terms of Letters Patent, each Notice shall have prefixed to it in Capital Letters the name by which the Invention is usually distinguished, and shall contain a distinct description of the Invention for which such Letters Patent have been obtained, and also an account of the Term of their Duration.

Committee on Standing Orders.

DUTY OF THE SELECT COMMITTEE ON STANDING ORDERS.

46.

THAT when any Report of the Select Committee on Petitions for Private Bills, in which they shall report that the Standing Orders have not been complied with, shall have been referred to the Select Committee on Standing Orders, they shall report to The House whether such Standing Orders as have not been complied with ought or ought not to be dispensed with, and whether in their opinion the parties should be permitted to proceed with their Bill, or any portion thereof, and under what (if any) conditions.

Select Committee on Standing Orders to report whether Standing Orders ought or ought not to be dispensed with.

47.

THAT when any Petition for leave to dispense with any of the Sessional Orders of The House relating to Private Bills, shall have been referred to the Select Committee on Standing Orders, they shall report to The House whether such Sessional Orders ought or ought not to be dispensed with.

Select Committee on Standing Orders to report whether Sessional Order ought or ought not to be dispensed with.

48.

THAT when any Clause or Amendment proposed to any Private Bill on the Report, or the Consideration of the Report thereof, shall have been referred to the Select Committee on Standing Orders, they shall report to The House whether such Clause or Amendment be of such a nature as not to be adopted by The House without the Re-commitment of the Bill, or of such a nature as to justify The House in entertaining it without recurring to that proceeding, or of such a nature as not in either case to be adopted by The House.

Committee to report whether Clause and Amendment on Report ought to be adopted or not by House without Re-commitment.

49.

THAT when any Clause or Amendment proposed to any Private Bill on the Third Reading shall have been referred to the Select Committee on Standing Orders, they shall report to The House whether such Clause or Amendment ought or ought not to be adopted by The House at that stage.

Committee to report whether Clause or Amendment on Third Reading ought to be adopted or not by House at that stage.

Committee of Selection.

DUTY OF THE COMMITTEE OF SELECTION.

50.

Opposed Bill to be referred to Speaker's List, &c.

THAT the Committee of Selection shall refer every Private Bill referred to them, when it be opposed, to the Speaker's List of that County or that Division of a County to which the Bill specially relates, and to such number of Members not locally interested in the Bill as the circumstances of the case shall in their judgment require.

51.

Quorum of Selected Members.

THAT the Committee of Selection shall in each case direct what number of the Members (not locally interested in the Bill) selected and added to the Speaker's List by them, shall be a Quorum of such Members.

52.

Notice to Selected Members.

THAT the Committee of Selection shall, after the name of any Member shall have been added by them to the Speaker's List, direct the Clerk attending them to give notice as soon as possible to such Member of his Name having been so added, and of the time when the Committee on the Bill shall have been appointed to meet.

53.

What Bills not to be considered opposed.

THAT the Committee of Selection shall consider no Bill as an opposed Private Bill where no Petition has been presented in which the Petitioners pray to be heard, by themselves, their Counsel or Agents, unless in cases where the Chairman of Ways and Means shall have reported to The House that in his opinion any Bill should be so treated.

54.

Unopposed Bills to be referred to the Chairman of Ways and Means, &c.

THAT the Committee of Selection shall refer every unopposed Private Bill referred to them, and which shall have originated in this House, to the Chairman of the Committee of Ways and Means, together with the Members ordered to prepare and bring in the Bill; and shall refer every unopposed Private Bill referred to them, which shall have been brought from the House of Lords, to the Chairman of the Committee of Ways and Means, together with not less than *Two* other Members, to be named by the Committee of Selection.

55.

Committee of Selection to appoint First Sitting of Committee.

THAT the Committee of Selection shall, subject to the order that there be *Seven* clear days between the Second Reading of every Private Bill and the Sitting of the Committee thereupon, fix the time for holding the *First Sitting* of every Committee on a Private Bill referred to them; but in the case of unopposed Private Bills, after communication with the Members who are to form the Committee on such Bill.

56.

Postponement of First Sitting.

THAT no Postponement of the First Sitting of any Committee on a Private Bill shall take place, unless such Postponement, and the Duration of it, shall have been sanctioned by the Committee of Selection.

Committee on the Bill.

DUTY OF THE COMMITTEE ON THE BILL.

Orders specially relating to the Committee on an Opposed Bill.

57.

That each Member appointed to serve as a Member of a Committee on an opposed Private Bill, whether he be on the Speaker's List or one of the Selected Members, before he be entitled to attend and vote on such Committee, shall (according to the class to which he may belong) sign one of the following Declarations. Members of Committee to sign Declaration.

58.

That the following shall be the several Forms of Declaration :— Declaration of Member on Speaker's List.

No. 1.—Declaration of a Member whose Name is on the List prepared under the direction of Mr. Speaker for . . .

I, A. B., being one of the Members whose name is on the List prepared under the direction of Mr. Speaker, to which List the Bill for . . . . . has been committed, do hereby declare, That I will never vote on any question which may arise without having duly heard and attended to the Evidence relating thereto.

Memorandum.—*The Declaration, signed as aforesaid, must be delivered to the Clerk of the Committee on the Bill before the Committee shall proceed to appoint a Chairman, otherwise the Member signing the same shall not be entitled to attend or vote.*

No. 2.—The Declaration of a Member whose Name has been added to the List prepared under the direction of Mr. Speaker by the Committee of Selection, his constituents having no local interest in the Bill for . . . . . Declaration of selected Member.

I, C. D., being one of the Members selected and added to the List by the Committee of Selection, to which List the Bill for . . . . . has been committed, do hereby declare, That my constituents have no local interest, and that I have no personal interest, in such Bill; and that I will never vote on any question which may arise without having duly heard and attended to the Evidence relating thereto.

Memorandum.—*The Declaration, signed as aforesaid, must be delivered to the Clerk of the Committee on the Bill before the Committee shall proceed to appoint a Chairman, otherwise the Member signing the same shall not be entitled to attend or vote.*

59.

That the Committee Clerk shall furnish to each Member appointed to serve on a Committee on a Private Bill, who shall apply for the same, a Form of one of the above Declarations, according to the class to which the Member may belong; and Form of Declaration supplied by Clerk.

Committee on the Bill.

that such application shall be made to the Committee Clerk, either in the Committee Clerks' Office, previous to the time when the Committee shall have been appointed to meet, or in the Committee Room, previous to the door thereof being locked, as hereinafter directed.

60.

When Member not entitled to attend or vote.

THAT no Member shall be entitled to attend or vote in a Committee on an opposed Private Bill, who shall not have delivered his Declaration to the Clerk, previous to the time when the door of the Committee Room shall be locked for the appointment of the Chairman, and who shall not have been present at such appointment.

61.

Quorum to be always present.

THAT Five Members (including the Quorum of Selected Members) shall be the Quorum of every Committee on an opposed Private Bill, and that no such Committee shall proceed to business, or continue their inquiry or deliberations, unless such number of Members appointed and duly qualified to serve on such Committee shall be present.

62.

When Proceedings of Committee to commence.

THAT so soon after the expiration of *ten minutes*, and not sooner, after the time appointed for the first sitting of a Committee on an opposed Private Bill, as there shall be present at least *Five* Members appointed and duly qualified to serve on such Committee (including a Quorum of Selected Members), the Clerk shall direct the Messenger in attendance on the Committee to clear the room of all strangers, and to lock the door of the Committee Room; and the Members then present shall proceed to appoint a Chairman.

63.

Chairman to be a Selected Member.

THAT the Member to be appointed the Chairman of each Committee on an opposed Private Bill shall be one of the Selected Members.

64.

Proceedings to be suspended if Quorum not present.

THAT if at any time during the sitting of the Committee a Quorum of the Selected Members shall not be present, the Chairman of the Committee shall suspend the proceedings of such Committee until such Quorum shall be present; and that if at the expiration of *one hour* from the time fixed for the meeting of the Committee, or from the time when the Chairman shall so have suspended the proceedings of such Committee, a Quorum of the Selected Members shall not be present, the Chairman shall *adjourn* the Committee for any period he may think think fit, and report to The House the circumstances of the case at its next meeting.

65.

Absence of Quorum by Death or otherwise to be reported.

THAT if at any time after the Committee on a Bill shall have been formed, a Quorum of Members required by the Standing Orders cannot attend in consequence of any of the Members who shall have duly qualified to serve on such Committee having become

Committee on the Bill.

become incompetent to continue such service by having been placed on an Election Committee, or by death or otherwise, the Chairman shall report the circumstances of the case to The House, in order that such measures may be taken by The House as shall enable the Members still remaining on the Committee to proceed with the business referred to such Committee, or as the exigency of the case may require.

66.

Petition against Bill not to be considered except grounds of objection sufficiently specified.

THAT no Petition against a Private Bill be taken into consideration by the Committee on such Bill, which shall not distinctly specify the ground on which the Petitioners object to any of the provisions thereof; and that the Petitioners be only heard on such grounds so stated; and if it shall appear to the said Committee, that such grounds are not specified with sufficient accuracy, the Committee may direct that there be given in to the Committee a more specific Statement, in writing, but limited to such grounds of Objection so inaccurately specified.

67.

Petition against Bill to be presented Three days before first day appointed for meeting.

THAT no Petitioners against any Private Bill shall be heard before the Committee on the Bill, unless the Petition shall have been presented to this House *Three* clear *days* before the day appointed for the first meeting of such Committee, unless the Petitioners shall complain of any matter which may have arisen during the progress of the Bill before the said Committee.

ORDERS specially relating to the COMMITTEE on an UNOPPOSED BILL.

68.

What Chairman to be appointed.

THAT the Chairman of the Committee of Ways and Means shall be the Chairman of the Committee on every unopposed Private Bill (not being a Divorce Bill), and that such Chairman and one of the other Members of the Committee shall be the Quorum thereof.

69.

Chairman liberty to report that any Bill should be treated as opposed.

THAT the Chairman of the Committee on every unopposed Private Bill (not being a Divorce Bill), shall be at liberty, at any period after such Bill shall have been referred to him and the other Members of the Committee, to report his opinion to The House (if he shall think fit), that such Bill should be treated as an opposed Private Bill; in which case such Bill shall be again referred to the Committee of Selection, and shall be dealt with by them as an opposed Private Bill.

70.

Filled-up Bill to be laid before Chairmanand Committee.

THAT a filled-up Bill, signed by the Agent for the Bill, as proposed to be submitted to the Committee, be laid by him before such Chairman at the time of giving notice of the meeting of the Committee on the Bill, and that similar copies be also laid by the Agent for the Bill before the other Members of the said Committee *Three days* at the least before the *First Meeting* thereof.

Orders relating to Committees on Bills, whether Opposed or Unopposed.

71.

Names of Members to be entered on Minutes.

That the Names of the Members attending each Committee be entered by the Clerk on the Minutes of the Committee; and if any Division shall take place in the Committee, the Clerk do take down the Names of Members voting in any such Division, distinguishing on which side of the question they respectively vote, and that such Lists be given in with the Report to The House.

72.

Committee on Bill not to inquire into certain Standing Orders.

That no Committee shall have power to examine into the compliance or non-compliance with such Standing Orders as are directed to be proved before the Select Committee on Petitions for Private Bills, unless by special order of The House.

73.

Standing Orders and Consents may be proved on Affidavits.

Scotland.

That in the case of any Private Bill relating to *Scotland*, the Committee may admit proof of the compliance with the Standing Orders of this House, and of the Consents of Parties concerned in interest in such Private Bill, on the production of Affidavits sworn before any Sheriff Depute or his Substitute there, whose Certificate shall be admitted as evidence of such proof having been made, unless the Committee shall require further evidence.

74.

Standing Orders and Consents may be proved on Affidavit.

Ireland.

That in the case of any Private Bill relating to *Ireland*, the Committee may admit proof of the compliance with the Standing Orders of The House, and of the Consents of Parties concerned in interest in such Private Bill, on the production of Affidavits sworn before any Judge or Assistant Barrister of that part of the United Kingdom, whose Certificate shall be admitted as evidence of such proof having been made, unless the Committee shall require further evidence.

75.

Consents in all other Cases.

That in all other instances, the Committee may admit proof of the Consents of Parties concerned in interest in any Private Bill, on the production of Certificates in writing of such Parties, whose Signature to such Certificate shall be proved by *one* or more Witnesses, unless the Committee shall require further Evidence.

76.

Clause compelling payment of Subscriptions.

That in all Bills presented to The House for carrying on any Work by means of a Company, Commissioners or Trustees, Provision be made for compelling Persons who have subscribed any Money towards carrying any such Work into execution, to make payment of the Sums severally subscribed by them.

77. That

Committee on the Bill.

77.

THAT in all Bills whereby any Parties are authorized to levy Fees, Tolls or other Rate or Charge, Clauses be inserted, providing for the following objects, except in so far as any of such objects shall have been provided for in some general Act applicable to the subject-matter of the Bill:—

Provision to be made in Bills, by which Tolls, &c. may be levied.

That security be taken from the Treasurer, Collector, or Receiver, and every other officer entrusted with the collection or custody of monies under the Bill, for the faithful execution of his office.

Security to be taken from Treasurer, &c.

That full and accurate Accounts be kept of all monies received and expended under the provisions of the Bill, and that such Accounts be balanced once in each year at the least.

Accounts to be kept.

That such Accounts be duly audited once in each year at the least, and that for such purpose an Auditor or Auditors be appointed by some person or persons not immediately connected with the Commissioners, Directors, Trustees, or other party, by whom, or by whose direction or authority, such Fees, Tolls, Rates or Charges shall be levied.

Accounts to be audited.

That for the purpose of auditing such Accounts, the Commissioners, Directors, Trustees or other such party as aforesaid be required to cause the Accounts, together with all their Books and Vouchers, to be produced to the Auditors.

Accounts, Vouchers, &c., to be produced to Auditors.

That the remuneration of the Auditor, and his expenses, be defrayed out of the funds levied under the Bill.

Remuneration to Auditors.

That an annual Account, in abstract, be prepared of the total Receipts and Expenditure of all funds levied under such Bill for the past year, under the several distinct heads of Receipts and Expenditure, with a Statement of the Balance of the said Account duly audited and certified by the Chairman of the Commissioners, Directors, Trustees or other parties aforesaid, and also by the Auditors thereof; and that a copy of such annual Account be transmitted, free of charge, to the Clerk of the Peace (or in Scotland to the Sheriff Clerk) for the County, or to the Clerk of the City or Borough within which the chief Office for the management of such funds shall be situated, on or before the *Thirty-first* day of *January* in each year, under a sufficient Penalty for not preparing and sending in the said Account, to be levied by summary process; the said Account to be open at all seasonable hours to the inspection of the Public upon payment of a Fee.

Account to be annually transmitted to Clerk of Peace.

78.

THAT where the level of any Road shall be altered in making any Public Work, the ascent of any Turnpike Road shall not be more than one foot in 30 feet; and of any other public Carriage Road not more than one foot in 20 feet; and that a good and sufficient fence, of four feet high at the least, shall be made on each side of every Bridge which shall be erected.

Level of Roads.

Fence to Bridge.

Committee on the Bill.

79.

Plan, &c., to be signed by Chairman.

THAT every Plan, and Book of Reference thereto, which shall be produced in evidence before the Committee upon any Private Bill (whether the same shall have been previously lodged in the Private Bill Office, or not,) shall be signed by the Chairman of such Committee with his Name at length; and he shall also mark with the Initials of his Name every Alteration of such Plan and Book of Reference, which shall be agreed upon by the said Committee; and every such Plan and Book of Reference shall thereafter be deposited in the Private Bill Office.

80.

Committee Bill and Clauses to be signed by Chairman.

THAT the Chairman of the Committee do sign, with his Name at length, a printed Copy of the Bill (to be called the Committee Bill) on which the Amendments are to be fairly written; and also sign, with the Initials of his Name, the several Clauses added in the Committee.

81.

Chairman to report on allegations of Bill, &c.

THAT the Chairman of the Committee upon every Private Bill shall report to The House, that the Allegations of the Bill have been examined; and whether the Parties concerned have given their Consent (where such Consent is required by the Standing Orders) to the satisfaction of the Committee.

82.

Committee to report Bill in all cases.

THAT every Committee to whom any Private Bill shall have been referred shall report the Bill to The House, whether such Committee shall or shall not have agreed to the Preamble, or gone through the several Clauses, or any of them; and when any alteration shall have been made in the Preamble of the Bill, such alteration, together with the ground of making it, shall be specially stated in the Report.

83.

Minutes of Committee.

THAT the Minutes of the Committee on every Private Bill be brought up and laid on the Table of The House, with the Report of the Bill.

Railway Bills.

84.

Restrictions as to Mortgage.

THAT in the case of a Railway Bill, no Company shall be authorized to raise, by Loan or Mortgage, a larger sum than *One-third* of their capital; and that, until *Fifty per cent.* on the whole of the capital shall have been paid up, it shall not be in the power of the Company to raise any Money by Loan or Mortgage.

85.

Limiting ascent of Roads where Level is altered.

THAT where the level of any road shall be altered in making any Railway, the ascent of any turnpike-road shall not be more than One Foot in Thirty Feet, and of any other public carriage road not more than One Foot in Twenty Feet, unless a report from some officer of the Railway Department of the Board of Trade shall be laid

Committee on the Bill.

laid before the Committee on the Bill, recommending that steeper ascents than the above may be allowed, with the reasons and facts upon which such opinion is founded, and the Committee shall report in favour of such recommendation: Also, that a good and sufficient fence, of Four Feet high at the least, shall be made on each side of every Bridge which shall be erected.

86.

Railway not to cross Roads on a Level unless Committee report, &c.

That no Railway whereon carriages are propelled by steam, or by atmospheric agency, or drawn by ropes in connexion with a stationary steam-engine, shall be made across any turnpike-road or other public carriage-way on the level, unless the Committee on the Bill report that such a restriction ought not be enforced, with the reasons and facts upon which their opinion is founded.

87.

That in the case of a Railway Bill, the Committee report specially:—

Capital.

1. The proposed Capital of the Company formed for the execution of the project, and the amount of any Loans which they may be empowered to raise by the Bill.

Shares, &c.

2. The amount of Shares subscribed for, and the Deposits paid thereon.

Names &c., of Directors.

3. The Names and Places of Residence of the Directors or Provisional Committee, with the amount of Shares taken by each.

Local Shareholders.

4. The number of Shareholders who may be considered as having a local interest in the line, and the amount of Capital subscribed for by them.

Other parties, &c.

5. The number of other Parties, and the Capital taken by them.

Subscribers for 2,000*l.* and upwards.

6. The number of Shareholders subscribing for 2,000*l.* and upwards, with their Names and Residences, and the amount for which they have subscribed.

Present means of conveyance.

7. The sufficiency or insufficiency for Agricultural, Commercial, Manufacturing or other purposes, of the present means of conveyance, and of communication between the proposed termini, stating the present amount of traffic by land or water, the average charges made for Passengers and Goods, and time occupied.

Passengers, &c., expected.

8. The number of Passengers, and the weight and description of the Goods expected upon the proposed Railway.

Income expected.

9. The amount of Income expected to arise from the conveyance of Passengers and Goods, and in what proportion; stating also generally the description of Goods from which the largest revenue is anticipated.

Whether Railway be a complete Line, or part of a more extended Plan.

10. Whether the proposed Railway be a complete and integral line between the termini specified, or a part of a more extended plan now in contemplation, and likely to be hereafter submitted to Parliament, and to what extent the calculations of remuneration depend on such contemplated extension of the line.

Committee on the Bill.

Whether Report from Board of Trade has been referred to Committee, &c.

11. Whether any Report from the Board of Trade in regard to the Bill, or the objects thereby proposed to be authorized, has been referred by the House to the Committee, and if so, whether any and what recommendations contained in such Report have been adopted by the Committee, and whether any and what recommendations contained in such Report have been rejected.

Assistant Engines.

12. What planes on the Railway are proposed to be worked, either by assistant engines, stationary or locomotive, with the respective lengths and inclinations of such planes.

Engineering difficulties.

13. Any peculiar engineering difficulties in the proposed line, and the manner in which it is intended they should be overcome.

Ventilation of Tunnels.

14. The length, breadth, and height, and means of ventilation, of any proposed tunnels, and whether the strata through which they are to pass are favourable or otherwise.

Gradients and Curves.

15. Whether in the lines proposed, the gradients and curves are generally favourable or otherwise, and the steepest gradient, exclusive of the inclined planes above referred to, and the smallest radius of a curve.

Length of Line.

16. The length of the main line of the proposed Railway, and of its branches respectively.

Passing Highways on a level.

17. Whether it be intended that the Railway should pass on a level any Turnpike Road or Highway, and if so, to call the particular attention of The House to that circumstance.

Estimates.

18. The amount of the Estimates of the cost or other expenses to be incurred up to the time of the completion of the Railway, and whether they appear to be supported by evidence, and to be fully adequate for the purpose.

Annual Expenses.

19. The estimated charge of the Annual Expenses of the Railway when completed, and how far the calculations on which the charge is estimated have been sufficiently proved.

Revenue in reference to annual charge.

20. Whether the calculations proved in evidence before the Committee have satisfactorily established that the Revenue is likely to be sufficient to support the Annual Charges of the maintenance of the Railway, and still allow profit to the Projectors.

Assents.

21. The number of assents, dissents and neuters upon the line, and the length and amount of Property belonging to each class traversed by the said Railway, distinguishing Owners from Occupiers; and in the case of any Bill to vary the original Line, the above particulars with reference to such Parties only as may be affected by the proposed deviation.

Engineers examined.

22. The Name of each Engineer examined in support of the Bill, and of any examined in opposition to it.

Petitions in opposition.

23. The main allegations of every Petition which may have been referred to the Committee in opposition to the Preamble of the Bill, or to any of its Clauses; and whether the allegations have been considered by the Committee, and if not considered, the cause of their not having been so.

And

Committee on the Bill.

And the Committee shall also report generally as to the fitness, in an engineering point of view, of the projected line of Railway, and any circumstances which, in the opinion of the Committee, it is desirable The House should be informed of.

Fitness in an engineering point of view, and any other circumstances.

88.

Resolved, That in all Railway Bills there be inserted the following Clauses, except where the same objects shall have been provided for in some general Act applicable to the undertaking intended to be authorized by the Bill:

Railway not to be proceeded with till certain Plans, &c., deposed.

"And be it further Enacted, That it shall not be lawful for the said Company to proceed in the execution of the said Railway hereinbefore authorized to be made, unless the said Company shall have, previously to the commencement of such work, deposited with the Clerk of the Peace of the several counties in England or Ireland, and in the Office of the Principal Sheriff Clerk in every county in Scotland, in or through which the said Railway hereby authorized to be made is intended to pass, a Plan and Section of all such alterations from the original Plan and Section as shall have been approved of by Parliament, on the same scale, and containing the same particulars as the original Plan and Section of the Railway; and also with the Clerks of the several parishes in England, the Schoolmasters of the several parishes in Scotland (or in Royal Burghs with the Town Clerk), and the Clerks of the Unions in which such parishes are included, in Ireland, in or through which such alterations shall have been authorized to be made, copies or extracts of or from such Plans and Sections as shall relate to such parishes respectively, and all persons interested shall have liberty to inspect and make extracts from or copies of the said Plans and Sections, or extracts or copies thereof, paying to the Officer having the custody of such Plan and Section, or of such extract or copy, the sum of One Shilling for every such inspection, and after the rate of Sixpence for every One hundred words copied therefrom.

Limiting Deviations from Datum Line.

"And be it further Enacted, That in making the said Railway it shall not be lawful for the said Company to deviate from the levels of the said Railway, as referred to the common Datum Line described in the Section so approved of by Parliament, and as marked on the same, to any extent exceeding in any place Five Feet, or in passing through towns Two Feet, without the consent of the owners, lessees and occupiers of the land in, through or over which such deviation is intended to be made; or in case any street or public carriage road shall be affected by such deviation, then the same shall not be made without the consent of the Trustees or Commissioners, or if there be no such Trustees or Commissioners, without the consent of Two or more Justices of the Peace in Petty Sessions assembled for that purpose, and acting for the district in which such street or public carriage road may be situated, or without the consent of the Commissioners for any Public Sewers, or the proprietors of any Canal or Navigation affected by such deviation: Provided always, That it shall be lawful for the Company to deviate from the said levels to a further extent without such consent as aforesaid, by lowering solid embankments or viaducts, provided that the requisite height

of headway prescribed by Act of Parliament be left for roads, streets or canals passing under the same.

Arches and Viaducts as marked on Plan and Section, to be made, &c.

"And be it further Enacted, That where in any place it is intended to carry the Railway on an arch or arches, or other viaduct, as marked on the said Plan or Section, the same shall be made accordingly; and where a tunnel is marked on the said Plan or Section as intended to be made at any place, the same shall be made accordingly, unless the owners, lessees and occupiers of the land in or through which such tunnel is intended to be made shall consent that the same shall not be so made: Provided always, That notice of every Petty Sessions to be holden for the purpose of obtaining such consent, as is hereinbefore required, shall, Fourteen Days previous to the holding of such Petty Sessions, be given in some newspaper circulating in the county, and also be affixed upon the church door of the parish in which such deviation or alteration is intended to be made, or if there be no church, some other place to which notices are usually affixed; and provided also, That, for the purpose of consenting to any deviations from the said Sections, and to any tunnelling or arching as aforesaid, the word "owners" shall be deemed and taken to mean such persons as are herein capacitated to agree for the sale of, and to convey land for the making of the said Railway; and the consent of such persons, with or without the consent of any other persons interested as owners in the said lands, shall be deemed and taken to be sufficient for such purposes.

Limiting Deviations from Gradients, Curves, Tunnels, &c.

"And be it further Enacted, That it shall not be lawful for the said Company to deviate from or alter the gradients, curves, tunnels or other engineering works described in the said Plan or Section, except within the following limits, and under the following conditions, viz.:

"Subject to the above provisions in regard to altering levels, it shall be lawful for the Company to diminish the inclination or gradients of the said Railway to any extent, and to increase the said inclination or gradients as follows; (that is to say) in gradients of an inclination not exceeding one in a hundred to any extent not exceeding Ten Feet per mile, or to any further extent which shall be certified by the Lords of the Committee of Privy Council for Trade to be consistent with public safety, and not prejudicial to public interests; and in gradients of or exceeding the inclination of one in a hundred to any extent not exceeding Three Feet per mile, or to any further extent which shall be so certified by the Lords of the said Committee as aforesaid:

"It shall be lawful for the Company to diminish the radius of any curve described in the said Plan, to any extent which shall leave a radius of not less than half a mile, or to any further extent authorized by such certificate as aforesaid, from the Lords of the said Committee:

"It shall be lawful for the Company to make a tunnel, not marked on the said Plan or Section instead of a cutting, or a viaduct instead of a solid embankment, if authorized by such certificate as aforesaid from the Lords of the said Committee."

ORDER applicable to such RAILWAY BILLS as shall have been ordered to be engrossed in Session 1845. — Committee on the Bill.

88 *a*.

That the Committee on any such Bill do examine whether the Bill be in every respect the same as such former Bill at the last stage of its proceeding in this House in the Session of 1845, *and that in such case no Evidence shall be received by such Committee; but that on the reception and adoption by the House of a Report from such Committee, that the Bill referred to them is in every respect the same as such former Bill at the last stage of its proceeding in this House in the Session of* 1845, *such Bill may be ordered to be engrossed without any further proceeding in respect thereof.* — Committee to examine whether Bill be the same as that in 1845.

Letters Patent.

89.

THAT when any Bill shall be brought into The House, for confirming of Letters Patent, there be a true Copy of such Letters Patent annexed to the Bill. — Copy of Letters Patent to be annexed to the Bill.

Inclosure and Drainage Bills.

90.

THAT in the case of any Bill for inclosing Lands, the Committee may admit proof of the Notices required by the Standing Orders, and of the Allegations in the Preamble of such Bill, by Affidavit taken and authenticated, according to the form prescribed in the Schedule to the General Inclosure Act (41 GEO. III. c. 109,) unless such Committee shall otherwise order. — Notices and Allegations. — Gen. Inc. Act.

91.

THAT the Committee on every Bill for inclosing Lands shall in the first place require the Agent for the same to deliver in to the Committee a printed copy of the Bill, signed by the Lord of the Manor, (in cases where the Lord of the Manor has any interest as such in the lands to be inclosed) and by such Owners of Property within the Parish to which the Bill relates as shall have assented thereto; but that the Parties, if they shall think fit, be permitted to deliver in different copies of the Bill, separately signed by the several Parties hereinbefore mentioned, instead of one copy, signed by all of them collectively; together with a List of all the Owners of Property within such Parish, showing the value according to the Poor Rate or Land Tax Assessment of each Owner's Property therein, and distinguishing which of them have assented, dissented, or are neuter in respect thereto. — Consent Bill and Statement of Property to be delivered in.

92.

THAT the Committee on every Bill for draining Lands shall in the first place require the Agent for the same to deliver in to the Committee a printed copy of the Bill, signed by such Owners and Occupiers of Property within the Parish to which the Bill relates as shall have assented thereto; but that the Parties, — Consent Bill and Statement of Property to be delivered in.

Committee on the Bill.

Parties, if they shall think fit, be permitted to deliver in different copies of the Bill, separately signed by the several Parties hereinbefore mentioned, instead of one copy, signed by all of them collectively; together with a List of all the Owners of Property within such Parish, showing the value according to the Poor Rate or Land Tax Assessment of each Owner's Property therein, and distinguishing which of them have assented, dissented, or are neuter in respect thereto.

93.

Clause for leaving open Space for exercise and recreation.

THAT in every Bill for inclosing Lands, provision be made for leaving an open space in the most appropriate situation, sufficient for purposes of exercise and recreation of the neighbouring population; and that the Committee on the Bill have before them the number of acres proposed to be inclosed, as also of the population in the parishes or places in which the land to be inclosed is situate; and also do see that provision is made for the efficient fencing of the allotment, for the investment of the same in the Churchwardens and Overseers of the parish in which such open space is reserved, and for the efficient making and permanent maintenance of the fences by such parish; and that in ny case where the information hereby required is not given, and the required provisions are not made in the Bill, the Committee on the same do report specially to The House the reasons for not complying with such Order.

94.

Consent Bill to contain Names of Commissioners, and Compensations for Manorial Rights, Tithes, and Enfranchisements.

THAT in every Bill for inclosing Lands, the Names of the Commissioners proposed to be appointed, and the Compensation intended for the Lord of the Manor, and the Owners of Tithes, in lieu of their respective Rights, and also the Compensation intended to be made for the enfranchisement of Copyholds, where any Bargains or Agreements have been made for such Compensations, be inserted in the copy of the Bill presented to The House: And that all copies of such Bills which shall be sent to any of the Persons interested in the said Manor, Tithes, Lands or Commons, for their Consent, do contain the Names of such proposed Commissioners, and also the Compensations so bargained or agreed for.

95.

Disqualification of certain Persons as Commissioners, Surveyors, &c.

THAT no Person shall be named in any Bill for inclosing Lands as a Commissioner, Umpire, Surveyor or Valuer, who shall be interested in the Inclosure to be made by virtue of such Bill; or the Agent ordinarily intrusted with the care, superintendence, or management of the Estate of any Person so interested.

96.

Clauses for settling Pay of Commissioners, and passing their Accounts.

THAT in every Bill for inclosing, draining or improving Lands there be inserted a Clause, providing what sum of Money in the whole, or by the day, shall be paid to each of the Commissioners to be appointed by such Bill, in satisfaction of the expense and trouble which he shall incur in the execution of the powers thereby given; and that there be also inserted in such Bill a Clause, providing that the Account of such Commissioner or Commissioners, containing a true statement of all Sums

Committee on the Bill.

Sums by him or them received and expended or due to him or them for their own trouble or expenses, shall, at least once in every year, from the date of the passing of the Act till such Accounts shall be finally allowed, together with the Vouchers relating to the same, be examined by some Person or Persons to be appointed by the Bill, and the Balance by him or them stated in the Book of Accounts required to be kept in the Office of the Clerk of such Commissioners; and that no charge or item in such Accounts shall be binding on the Parties concerned, or be valid in law, unless the same shall be duly allowed by such Person or Persons.

Turnpike Roads (Ireland).

97.

Clause for Qualification of Commissioners.

THAT in every Bill for making a Turnpike Road in Ireland, or for the continuing or amending any Act passed for that purpose, or for the increase or alteration of the existing Tolls, Rates or Duties upon any such Road, or for widening or diverting any such Road, a Clause be inserted, to prevent any Person who shall be nominated a Commissioner, from acting or voting in the business of the said Turnpike, unless he shall be possessed of an Estate in Land, or of a Personal Estate, to such certain value as shall be specified in such Bills; and that such Qualification be extended to the Heirs apparent of Persons possessed of an Estate in Land to a certain value to be specified.

Committee on Divorce Bills.

DUTY OF SELECT COMMITTEE ON DIVORCE BILLS.

98.

What Evidence to be given in Divorce Cases.

THAT the Select Committee on Divorce Bills shall require evidence to be given before them that an action for damages has been brought in one of Her Majesty's Courts of Record at Westminster, or in one of Her Majesty's Courts of Record in Dublin, or in one of Her Majesty's Supreme Courts of Judicature of the Presidencies of Calcutta, Madras, Bombay or the Island of Ceylon, respectively, against the persons supposed to have been guilty of Adultery, and judgment for the plaintiff had thereupon; or sufficient cause to be shown to the satisfaction of the said Committee why such action was not brought, or such judgment was not obtained.

99.

When Petitioner for Bill to attend Committee.

THAT the Select Committee on Divorce Bills shall, in all cases in which the Petitioner for the Bill has attended the House of Lords upon the Second Reading of the Bill, require him to attend before them to answer any questions they may think fit that he should answer.

100.

Committee to report Bill in all cases.

THAT the Select Committee on Divorce Bills shall report every such Bill to The House, whether such Committee shall or shall not have agreed to the Preamble, or gone through the several Clauses, or any of them.

III.

THE ORDERS REGULATING THE PRACTICE OF THE HOUSE WITH REGARD TO PRIVATE BILLS.

Practice of the House.

PRACTICE OF THE HOUSE WITH REGARD TO PRIVATE BILLS.

101.

Petition for Bill, and how to be signed.

THAT no Private Bill be brought into this House, but upon a Petition first presented, with a printed copy of the proposed Bill annexed: And that such Petition be signed by the Parties, or some of them, who are Suitors for the Bill.

102.

Petitions, when to be presented.

THAT all Petitions for Private Bills be presented within *Fourteen* days after the *First Friday* in every Session of Parliament.

102 *a*.

Declaration of Agent as to Class of Bill, and Powers thereof, to be annexed to Petition.

THAT a Declaration, in writing, signed by the Agent for the proposed Bill (or some one of such Agents), shall be annexed to such Petition, stating to which of the three Classes of Bills such Bill in his judgment belongs; and if the proposed Bill shall give power to effect any of the following objects; that is to say:—

Special Notice required under Standing Order 17 — Power to take any lands or houses compulsorily, or to extend the time granted by any former Act for that purpose:

16 — Power to levy tolls, rates or duties, or to alter any existing tolls, rates or duties; or to confer, vary or extinguish any exemption from payment of tolls, rates or duties, or any other right or privilege:

18 — Power to interfere with any Crown, Church or Corporation property held in trust for public or charitable purposes:

20, 21 — Power to make a Burial-ground:

36 — Power to relinquish any part of a work authorized by a former Act:

37 — Power to divert into any intended cut, canal, reservoir, aqueduct or navigation, or into any intended variation, extension or enlargement thereof respectively, any water from any existing cut, canal, reservoir, aqueduct or navigation, whether directly or derivatively, and whether under any agreement with the proprietors thereof, or otherwise:

Particular Plans required. 38 — Power to make, vary, extend or enlarge any cut, canal, reservoir, aqueduct or navigation:

Special Regulations affecting Railways. 39 to 43 — Power to make, vary, extend or enlarge any Railway.

The said Declaration shall state which of such powers are given by the Bill, and shall indicate in which clauses of the Bill (referring to them by their number) such powers are given, and shall further state that the Bill does not give power to effect any of the objects enumerated in this Order, other than those stated in the Declaration.

Practice of the House.

If the proposed Bill shall not give power to effect any of the objects enumerated in the preceding Order, the said Declaration shall state that the Bill does not give power to effect any of such objects.

And that a copy of such Declaration be deposited at the Office of the Board of Trade.

103.

Petitions for Private Bills, &c. and Lords' Bills to be referred to Committee on Petitions.

THAT all Petitions for Private Bills, with their annexed Bills and Agent's Declarations, and all Petitions for additional Provision in Private Bills, with the proposed Clauses annexed, and all Estate Bills brought from the House of Lords, after having been read a First Time, shall be referred to the Select Committee on Petitions for Private Bills.

104.

Time between presentation of Petition and Meeting of Sub-Committee.

THAT there be *Seven* clear days between the day on which the Petition for any Private Bill relating to *England* shall be presented, and the day on which the Sub-Committee shall sit thereupon; and *Ten* days in case such Bill shall relate to *Scotland* or *Ireland*.

105.

Reports that Standing Orders have not been complied with, to be referred to Committee on Standing Orders.

THAT all Reports of the Select Committee on Petitions for Private Bills, in which they shall report that the Standing Orders have not been complied with, be referred to the Select Committee on Standing Orders.

106.

Petitions for leave, &c. to be referred to Committee on Standing Orders.

THAT all Petitions for leave to dispense with any of the Sessional Orders of The House relating to Private Bills, be referred to the Select Committee on Standing Orders.

107.

Printed Bill to be presented.

THAT every Private Bill, printed on paper, of a size to be determined upon by Mr. Speaker, be presented to The House, with a Cover of Parchment attached to it, upon which the Title of the Bill is to be written; and the short Title of the Bill, as first entered on the Votes, shall be in accordance with the subject matter of the Bill, and shall not be changed unless by special order of The House.

108.

Rates, Tolls and other Matters to be inserted in *Italics*.

THAT the proposed amount of all Rates, Tolls, and other matters heretofore left blank in any Private Bill when presented to The House, be inserted in *Italics* in the printed Bill.

109.

What Bills to be printed, and when.

THAT every Private Bill (except Name and Naturalization Bills) be printed; and printed copies thereof delivered to the doorkeepers for the use of the Members before the First Reading.

110.

Time between First and Second Reading.

THAT there be *Three* clear *days* between the First and Second Reading of every Private Bill.

Practice of the House.

111.

THAT this House will not receive any Petition complaining solely of a non-compliance with the Standing Orders of The House in respect of any Private Bill, subsequently to the Second Reading of such Bill, unless in the case of those Standing Orders which must necessarily be taken into consideration by the Committee on the Bill.

No Petition complaining of Standing Orders—subsequent to Second Reading of Bills.

111 *a*.

THAT on every Petition presented to this House, relating to any Private Bill before The House, the name or short Title by which such Bill is entered in the Votes, be written at the beginning thereof; and whether such Petition be in favour or against the Bill, or relating to the non-compliance with the Standing Orders.

Name of Bill to be written on every Petition for or against the same.

112.

THAT no Private Bill be read a *Second* time, until after the expiration of *Two calendar months* from the day the last Notice shall have been given in the Newspaper.

Second Reading not to take place till Two Months after last Notice.

113.

THAT a Breviate of every Private Bill (except Divorce, Name, Naturalization, and Estate Bills, brought from the House of Lords, and not relating to Crown, Church or Corporation Property, or Property held in trust for public or charitable purposes) be prepared under the direction of Mr. Speaker, and that such Breviate shall contain a Statement of the Object of the Bill and a Summary of the proposed Enactments, and shall state any variation from the general law which will be effected by the Bill.

Breviate to be prepared.

114.

THAT no Private Bill be read a *Second* time until *Three* clear *days* after the Breviate thereof shall have been laid on the Table of The House, and have been printed.

Breviate to be laid on Table Three days before Second Reading of Bill.

115.

THAT no Private Bill, or Clause, for the particular interest or benefit of any Person or Persons, County or Counties, Corporation or Corporations, or Body or Bodies of People, be read a Second time, unless Fees be paid for the same.

When Fees to be paid.

116.

THAT every Private Bill, not being a Divorce Bill, after having been read a Second time and committed, shall be referred to the Committee of Selection; and every Divorce Bill shall be referred to the Select Committee on Divorce Bills.

Bills referred to Committee of Selection.

117.

THAT there be *Seven* clear *days* between the Second Reading of every Private Bill, and the sitting of the Committee thereupon.

Time between Second Reading and Committee.

117 *a*.

THAT in the case of Railway Bills, if any Report made under the authority of the Board of Trade upon any Bill, or the objects thereof, be laid before the House, such Report shall be referred to the Committee on the Bill

Committee on Petitions.

118.

Report of Bill when printed as amended, to lie on Table.

THAT the Report upon every Private Bill ordered to be printed as amended in Committee, shall lie upon the Table.

119.

Breviates of Bills amended in Committee to be laid before Chairman of Ways and Means, &c.

THAT a Breviate of the amendments made in every Committee on a Private Bill be submitted to the Chairman of the Committee of Ways and Means, and also laid upon the Table of The House at least the day previous to the consideration of the Report of such Bill.

120.

Bill to be printed after report.

THAT every Private Bill, as amended in Committee, excepting in the cases wherein the Committee shall report the amendments to be merely verbal or literal, be printed at the expense of the Parties applying for the same; and be delivered to the Door-keepers for the use of the Members, *Three* clear *days* at least before the consideration of the Report.

121.

Clauses and Amendments proposed on Report or Third Reading to be referred to Select Committee on Standing Orders.

THAT when any Clause or Amendment is offered upon the Report, or the consideration of the Report, or the Third Reading of any Private Bill, such Clause or Amendment shall be referred to the Select Committee on Standing Orders: That such Clause shall be printed: And when any Clause is proposed to be amended, it shall be printed *in extenso*, with every addition or substitution in different type, and the omissions therefrom included in brackets.

122.

When referred, no further proceeding to be had until Report of Select Committee on Standing Orders.

THAT when any Clause or Amendment upon the Report, or the consideration of the Report, or the Third Reading of any Private Bill, shall have been referred to the Select Committee on Standing Orders, no further proceeding on either of such stages shall be had until the Report of the said Select Committee shall have been brought up.

123.

Reports on Railway Bills to be discussed upon every Tuesday and Thursday.

THAT in order to afford opportunity for the proper discussion of the *Reports* on *Railway Bills* included in the second class, this House will upon *every Tuesday* and *Thursday* proceed to the consideration of Reports on such Bills.

124.

Bill not to proceed two stages on same day.

THAT no Private Bill shall pass through two stages on one and the same day without the special leave of The House.

125.

Notice to be given of motion for dispensation.

THAT (except in cases of urgent and pressing necessity) no motion be made to dispense with any Sessional or Standing Order of The House without due notice thereof.

ORDER applicable to such RAILWAY BILLS as shall have been ordered to be engrossed in Session 1845.

125 *a*.

Time between Second Reading and Committee on Bill.

That the time between the Second Reading of any such Bill which shall be brought in in the Session of 1846, *and the meeting of the Committee thereon, be shortened to Three clear Days, the parties giving the regular Notices in the Private Bill Office.*

IV.

THE ORDERS REGULATING THE PRACTICE IN THE PRIVATE BILL OFFICE.

Practice in the Private Bill Office.

PRIVATE BILL OFFICE.

126.

Private Bill Office and Register.

THAT a Book, to be called "THE PRIVATE BILL REGISTER," be kept in a Room, to be called "THE PRIVATE BILL OFFICE," in which Book shall be entered by the Clerks appointed for the business of that Office, the Name, Description and Place of Residence of the Parliamentary Agent in Town, and of the Agent in the Country (if any) soliciting the Bill; and all the Proceedings, from the Petition to the passing of the Bill:—Such Entry to specify, briefly, each day's Proceeding in The House, or in any Committee to which the Bill or Petition may be referred; the day and hour on which the Committee is appointed to sit; the day and hour to which such Committee may be adjourned, and the name of the Committee Clerk. Such Book to be open to public inspection daily, in the said Office, between the hours of Eleven and Six.

127.

Plans, &c. to be lodged.

THAT all Plans, Sections, Books of Reference, Lists of Owners and Occupiers, Estimates, Copies of the Subscription Contracts, and Declarations required by the Standing Orders of The House, be lodged in the Private Bill Office; and that the receipt thereof be acknowledged accordingly, by one of the Clerks of the said Office, upon the said Documents, and upon the Petition, before it is presented.

128.

Copy of Bill annexed to Petition, &c. to be deposited in Private Bill Office.

THAT a copy of every Bill annexed to a Petition and Agent's Declaration be deposited in the Private Bill Office on the day of the Presentation of the Petition to The House; and that such Bill and Declaration be open to the inspection of all parties.

129.

Notice of Meeting of Sub-Committee on Petition, &c.

THAT *Seven* clear *days'* notice in writing be given by the Agent for the Bill to the Clerks in the Private Bill Office of the meeting of any *Sub-Committee* on a Petition for a Private Bill, and *One* clear *day*'s notice of the meeting of any Sub-Committee on a Petition for additional Provision, or on an Estate Bill brought from the House of Lords; and that no such notices respectively be given until after such Petition shall have been presented, or such Estate Bill read a First Time.

130.

Notice of Postponement of Sub-Committee.

THAT *One* clear *day*'s notice in writing be given by the Agent for the Bill, to the Clerks in the Private Bill Office, of the postponement of the first meeting of any Sub-Committee on a Petition for a Private Bill, or on a Petition for additional Provision, or on an Estate Bill brought from the House of Lords.

131.

Examination Book.

THAT after each Private Bill has been read the First time, its Name (or short Title) shall be copied by the Clerks of the Private Bill Office, from the Clerk's Minute Book of the day, into a separate Book, to be called "THE EXAMINATION BOOK;"—wherein shall be noted the number of such Bill, according to the priority of its being read, and the date of the day of such First Reading.

132.

Custody of Bills.

THAT every Private Bill, after it has been read the First time and the Title copied and examined for the Votes, be in the custody of the Clerks of the Private Bill Office, until laid upon the Table for the Second Reading; and when committed, be taken by the proper Committee Clerk into his charge, till reported.

133.

Examination of Bill and Breviate.

THAT between the First and Second Reading of every Private Bill, every such Bill shall, according to its priority, be examined, with all practicable despatch, by the Clerks of the Private Bill Office, as to its conformity with the Rules and Standing Orders of The House; and if *not* in due form, the Examining Clerk shall specify thereon the page in which any irregularity occurs, and shall enter the day of such Examination, together with his own Name, in the Examination Book.

134.

Notice of Second Reading.

THAT *Three* clear *days'* Notice in writing be given by the Agent for the Bill, to the Clerks in the Private Bill Office, of the day proposed for the Second Reading of every Private Bill.

135.

Notice of Committee.

THAT *Seven* clear *days'* Notice, and in the case of a re-committed Bill, *Three* clear *days'* Notice, in writing, be given by the Agent for the Bill, to the Clerks in the Private Bill Office, of the day and hour appointed for the meeting of the Committee on every Private Bill; and that all the proceedings of any Committee of which such Notice shall not have been given, be void.

136.

Filled-up Bill, to be deposited in Private Bill Office.

THAT a filled-up Bill, signed by the Agent for the Bill, as proposed to be submitted to the Committee on the Bill, and in the case of a re-committed Bill, a filled-up Bill, as proposed to be submitted to the Committee on re-committal, be deposited in the Private Bill Office one clear day before the meeting of the Committee on every Private Bill; and that all Parties shall be entitled to a Copy thereof, upon payment of the Charges for making out Amendments of such Bill.

137.

Notice of Postponement.

THAT notice, in writing, be given by the Clerk to the Committee of Selection, to the Clerks in the Private Bill Office, of the postponement of the first meeting of any Committee on a Private Bill, on the day on which such postponement is made.

138.

Notice of Adjournment.

THAT Notice, in writing, be given by the Committee Clerk to the Clerks in the Private Bill Office, of the day and hour to which each Committee is adjourned.

139.

Notice of Report and of consideration of Report.

THAT *One* clear *day's* Notice, in writing, be given by the Agent for the Bill, to the Clerks in the Private Bill Office, of the day proposed

Practice in the Private Bill Office.

proposed for the Report of every Private Bill, and also for the consideration of the Report of every Private Bill ordered to lie upon the Table.

140.

Bill as amended in Committee to be delivered in.

THAT the Committee Clerk, after the Report is made out, do deliver in to the Private Bill Office a printed Copy of the Bill, with the written Amendments made in the Committee; in which Bill, all the Clauses added by the Committee shall be regularly marked in those parts of the Bill wherein they are to be inserted.

141.

Notice to be given of Clauses, &c. on Report, or on consideration of Report, or Third Reading.

THAT when it is intended to bring up any Clause or to propose any Amendment on the Report, or the consideration of the Report, or on the Third Reading of any Private Bill, Notice shall be given thereof, in the Private Bill Office, on the day previous to such Report, or consideration of the Report, or Third Reading.

142.

Notice of Third Reading.

THAT *One* clear *day*'s Notice, in writing, be given by the Agent for the Bill, to the Clerks in the Private Bill Office, of the day proposed for the *Third Reading* of every Private Bill; and that no such Notice be given until after the Bill to which it relates shall have been reported, or the Report thereof considered.

143.

Amendments on Report, or consideration of Report, and Third Reading.

THAT the Amendments (if any) which are made upon the Report, or consideration of the Report, and on the Third Reading of any Private Bill, and also such Amendments made by the House of Lords as shall have been agreed to by this House, be entered by one of the Clerks in the Private Bill Office, upon the printed Copy of the Bill as amended in Committee; which Clerk shall sign the said Copy so amended, in order to its being deposited and preserved in the said Office.

144.

Examination of Ingrossments.

THAT to insure the Accuracy of the Ingrossment of all Private Bills, the Clerk of the House be required to provide a sufficient number of Clerks, to be called EXAMINERS of INGROSSMENTS.

145.

Certificate of Examination

THAT no Private Bill be read a Third time until a Certificate is indorsed upon the Paper Bill, and signed by one or more of the Examiners of Ingrossments, declaring that the Ingrossment thereof has been examined, and agrees with the Bill, as amended in Committee, and on the consideration of the Report.

146.

Notice of consideration of Lords' Amendments.

THAT when Amendments made by the House of Lords to any Private Bill sent up to them are to be taken into consideration, Notice be given thereof in the Private Bill Office, the day previous to the same being proposed to be taken into consideration.

147.

Time for delivering Notices.

THAT all *Notices* required to be given in the Private Bill Office be delivered in the said Office before *Six* of the clock in

Practice in the Private Bill Office.

in the *Evening* of any day on which The House shall sit, and before *Two* of the Clock on any day on which The House shall not sit; and that after any day on which The House shall have adjourned, no Notice shall be given for the first day on which it shall again sit.

148.

Daily Lists of Committees sitting.

THAT the Clerks in the Private Bill Office do prepare, daily, Lists of all Private Bills, and Petitions for Private Bills upon which any Committee is appointed to sit; specifying the hour of meeting; and the Room where the Committee shall sit; and that the same be hung up in the Lobby of The House.

149.

Plans to be verified as Mr. Speaker shall direct.

THAT every Plan, and Book of Reference thereto, which shall be certified by The Speaker of the House of Commons, in pursuance of any Act of Parliament, shall previously be ascertained, and verified in such manner as shall be deemed most advisable by The Speaker, to be exactly conformable in all respects to the Plan and Book of Reference which shall have been signed by the Chairman of the Committee upon the Bill.

J. K. Ley
Cl. Dom: Com:
Veneris 8° Die Augusti
1845

APPENDIX.

[Form referred to in Page 15.]

(A.)

No.

Sir,

We beg to inform you, that Application is intended to be made to Parliament in the ensuing Session for "An Act" [*here insert the Title of the Act*], and that the Property mentioned in the annexed Schedule, or some Part thereof, in which we understand you are interested as therein stated, will be required for the Purposes of the said Undertaking, according to the Line thereof as at present laid out, or may be required to be taken under the usual Powers of Deviation to the Extent of Yards on either side of the said Line which will be applied for in the said Act, and will be passed through in the Manner mentioned in such Schedule.

We also beg to inform you, that a Plan and Section of the said Undertaking, with a Book of Reference thereto, has been or will be deposited with the several Clerks of the Peace of the Counties of [*specify the Counties in which the Property is situate*], on or before the 30th of November, and that Copies of so much of the said Plan and Section as relates to the Parish in which your Property is situate, with a Book of Reference thereto, has been or will be deposited for public Inspection with the Clerk of the said Parish, Schoolmaster of the Parish, Town Clerk of the Royal Burgh, or the Clerk of the Union in which such Parish is included [*as the case may be*], on or before the 31st day of December instant, on which Plans your Property is designated by the Numbers set forth in the annexed Schedule.

As we are required to report to Parliament whether you assent to or dissent from the proposed Undertaking, or whether you are neuter in respect thereto, you will oblige us by writing your Answer of Assent, Dissent or Neutrality in the Form left herewith, and returning the same to us with your Signature on or before the day of next; and if there should be any Error or Misdescription in the annexed Schedule, we shall feel obliged by your informing us thereof, at your earliest convenience, that we may correct the same without delay.

We are, Sir,

Your most obedient servants

To

SCHEDULE referred to in the foregoing Notice, and which is intended to show the Property therein alluded to, and the Manner in which the Line of the deposited Section will affect the same.

—	Parish, Township, Townland or Extra-parochial Place.	Number on Plans.	Description.	Owner.	Lessee.	Occupier.	Description of the Section of the Line deposited, and of the greatest Height of Embankment and Depth of Cutting.
Property in the Line as at present laid out.							

—	Parish, Township, Townland, or Extra-parochial Place.	Number on Plans.	Description.	Owner.	Lessee.	Occupier.	
Property within the Limits of the Deviation intended to be applied for.							

Appendix (B.)

ANNO PRIMO VICTORIÆ REGINÆ.
Cap. LXXXIII.

AN ACT to compel Clerks of the Peace for Counties and other Persons to take the Custody of such Documents as shall be directed to be deposited with them under the Standing Orders of either House of Parliament.

WHEREAS the Houses of Parliament are in the habit of requiring that, previous to the introduction of any Bill into Parliament for making certain bridges, turnpike-roads, cuts, canals, reservoirs, acqueducts, waterworks, navigations, tunnels, archways, railways, piers, ports, harbours, ferries, docks and other works, to be made under the authority of Parliament, certain maps or plans and sections, and books and writings, or extracts or copies of or from certain maps, plans or sections, books and writings, shall be deposited in the office of the clerk of the peace for every county, riding or division in England or Ireland, or in the office of the sheriff clerk of every county in Scotland, in which such work is proposed to be made, and also with the parish clerk in every parish in England, the schoolmaster of every parish of Scotland, or in Royal Burghs with the town clerk, and the postmaster of the post town in or nearest to every parish in Ireland, in which such work is intended to be made, and with other persons: And whereas it is expedient that such maps, plans, sections, books, writings and copies or extracts of and from the same, should be received by the said clerks of the peace, sheriff clerks, parish clerks, schoolmasters, town clerks, postmasters and other persons, and should remain in their custody for the purposes hereinafter mentioned; BE it therefore Enacted by The Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, That whenever either of the Houses of Parliament shall by its Standing Orders, already made or hereafter to be made, require that any such maps, plans, sections, books or writings, or extracts or copies of the same, or any of them, shall be deposited as aforesaid, such maps, plans, sections, books, writings, copies and extracts shall be received by and shall remain with the clerks of the peace, sheriff clerks, parish clerks, schoolmasters, town clerks, postmasters and other persons with whom the same shall be directed by such Standing Orders to be deposited, and they are hereby respectively directed to receive and to retain the custody of all such documents and writings so directed to be deposited with them respectively, in the manner and for the purposes and under the rules and regulations concerning the same respectively directed by such Standing Orders, and shall make such memorials and endorsements on and give such acknowledgments and receipts in respect of the same respectively as shall be thereby directed.

Clerks of the Peace, &c. to receive the Documents herein mentioned, and retain them for the purposes directed by the Standing Orders of the Houses of Parliament.

II. And be it further Enacted, That all persons interested shall have liberty to, and the said clerks of the peace, sheriff clerks, parish clerks, schoolmasters, town clerks and postmasters, and every of them, are and is hereby required, at all reasonable hours of the day, to permit all persons interested to inspect during a reasonable time and make extracts from or copies of the said maps, plans, sections, books, writings, extracts and copies of or from the same, so deposited with them respectively, on payment by each person to the clerk of the peace, sheriff clerk, clerk of the parish, schoolmaster, town clerk or postmaster having the custody of any such map, plan, section, book, writing, extract or copy, One Shilling for every such inspection, and the further sum of One Shilling for every hour during which such inspection shall continue after the first hour, and after the rate of Sixpence for every One hundred words copied therefrom.

Clerks of the Peace, &c. to permit such Documents to be inspected or copied by persons interested.

III. And be it further Enacted, That in case any clerk of the peace, sheriff clerk, parish clerk, schoolmaster, town clerk, postmaster or other person, shall in any matter or thing refuse or neglect to comply with any of the provisions hereinbefore contained, every clerk of the peace, sheriff clerk, parish clerk, schoolmaster, town clerk, postmaster or other person shall for every such offence forfeit and pay any sum not exceeding the sum of Five Pounds; and every such penalty shall, upon proof of the offence before any Justice of the Peace for the county within which such offence shall be committed, or by the confession of the party offending, or by the oath of any credible witness, be levied and recovered, together with the costs of the proceedings for the recovery thereof, by distress and sale of the goods and effects of the party offending, by warrant under the hand of such Justice, which warrant such Justice is hereby empowered to grant, and shall be paid to the person or persons making such complaint; and it shall be lawful for any such Justice of the Peace to whom any complaint shall be made of any offence committed against this Act to summon the party complained of before him, and on such summons to hear and determine the matter of such complaint in a summary way, and on proof of the offence to convict the offender, and to adjudge him to pay the penalty or forfeiture incurred, and to proceed to recover the same, although no information in writing or in print shall have been exhibited or taken by or before such Justice; and all such proceedings by summons without information shall be as good, valid and effectual to all intents and purposes as if an information in writing had been exhibited.

Clerks of the Peace, &c. for every omission to comply with the provisions of this Act, liable to the Penalty of 5 *l.*, to be recovered in a summary way.

Appendix.

Appendix (C.)

ANNO PRIMO & SECUNDO VICTORIÆ REGINÆ.

Cap. CXVII.

AN ACT to provide for the Custody of certain Monies paid in pursuance of the Standing Orders of either House of Parliament by Subscribers to Works or Undertakings to be effected under the Authority of Parliament.

WHEREAS it is expedient to provide for the custody of any sums of money paid in pursuance of any Standing Order of the Lords Spiritual and Temporal in Parliament assembled, or of the Commons in Parliament assembled, by subscribers to works or undertakings to be made under the authority of an Act of Parliament; BE it therefore Enacted by The Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, That in all cases in which any sum of money is required by any Standing Order of either House of Parliament, either now or hereafter to be in force, to be paid by the subscribers to any work or undertaking which is to be executed under the authority of an Act of Parliament, if the director or person or directors or persons having the management of the affairs of any such proposed work or undertaking, or any Five of them, shall apply to the Chairman of the Committees of the House of Lords with respect to any such money required by any Standing Order of the Lords Spiritual and Temporal in Parliament assembled, or to The Speaker of the House of Commons with respect to any such money required by any Standing Order of the Commons in Parliament assembled, the said Chairman or the said Speaker may, by warrant or order under his hand, direct that such sum of money shall be paid in manner hereinafter mentioned; that is to say, into the Bank of England in the name and with the privity of the Accountant-general of the Court of Exchequer in England, if the work or undertaking in respect of which the sum of money is required to be paid is intended to be executed in that part of the United Kingdom called England; or into the Bank of England in the name and with the privity of the said Accountant-general, or into any of the Banks in Scotland established by Act of Parliament or Royal Charter in the name and with the privity of The Queen's Remembrancer of the Court of Exchequer in Scotland, at the option of the person or persons making such application as aforesaid, in case such work or undertaking is intended to be executed in that part of the United Kingdom called Scotland; or into the Bank of Ireland in the name and with the privity of the Accountant-general of the Court of Chancery in Ireland, in case such work or undertaking is intended to be made or executed in that part of the United Kingdom called Ireland; and every such application as aforesaid to the said Chairman or Speaker shall be made in writing, and be signed by the director or directors or person or persons having the management of the said work or undertaking, or by any Five of them; and therein shall be stated the name or description of such work or undertaking, and name and place of abode or the names and places of abode of such director or directors, person or persons, and the sum of money required to be paid, and the bank and name into and in which the same is to be paid; and such particulars shall also be set forth in every such warrant or order; and such warrant or order shall be a sufficient authority for the Accountant-general of the said Court of Exchequer in England, the Queen's Remembrancer of the Court of Exchequer in Scotland, and the Accountant-general of the Court of Chancery in Ireland respectively, to permit the sum of money directed to be paid by such warrant or order to be placed to an account opened or to be opened in his name in the Bank mentioned in such warrant or order.

Authority to deposit.

II. And be it Enacted, That it shall be lawful for the person or persons named in such warrant or order, or the survivors or survivor of them, or any Five of them, to pay the sum of money mentioned in such warrant or order into the Bank mentioned in such warrant or order in the name and with the privity of the officer or person in whose name such sum shall be directed to be paid by such warrant or order, to be placed to his account there ex-parte the work or undertaking mentioned in such warrant or order; and every such sum so paid in, or the securities in or upon which the same may be invested as hereinafter mentioned, shall there remain until the same or such securities as aforesaid shall be paid out of such Bank in pursuance of the provisions of this Act: Provided always, That every sum paid into the Bank of England in the name and with the privity of the Accountant-general of the Court of Exchequer under the provisions of this Act, shall be paid in and placed to his account there pursuant to the method prescribed by an Act passed in the first year of the reign of his late Majesty King George the Fourth, intituled, "An Act for the better securing Money and Effects paid into the Court of Exchequer at Westminster on account of the Suitors of the said Court, and for the Appointment of an Accountant-general and Two Masters of the said Court, and for other Purposes, and pursuant to the General Orders of the said Court, and without Fee or Reward;" and every sum paid into the Bank of Ireland in the name and with the privity of the Accountant-general of the Court of Chancery in Ireland, under the provisions of this Act, shall

Payment of Deposit.

1 G. 4. c. 35.

shall be paid in and placed to his account pursuant to the method prescribed by an Act made and passed in the Parliament of Ireland in the twenty-third and twenty-fourth years of the reign of his late Majesty King GEORGE the Third, intituled, "An Act for the better securing the Monies and Effects of the Suitors of the Court of Chancery and Exchequer, by depositing the same in the National Bank, and to prevent the forging and counterfeiting any Draft, Order or other Voucher for the payment or Delivery of such Money and Effects, and for other Purposes," and pursuant to the general orders of the said Court, and without fee or reward. 23 & 24 G. 3. (I.)

Investment of Deposit.

III. And be it Enacted, That if the person or persons named in such warrant or order, or the survivor or survivors of them, or any Five of them, desire to have invested any sum so paid into the Bank of England or the Bank of Ireland, the court in the name of whose Accountant-general the same may have been paid, on a petition presented to such court in a summary way by him or them, may order that such sum shall, until the same be paid out of court in pursuance of this Act, be laid out in the Three per Centum Consolidated or Three per Centum Reduced Bank Annuities, or any Government security or securities.

Repayment of Deposit.

IV. And be it Enacted, That on the termination of the Session of Parliament in which the Petition or Bill for the purpose of making or sanctioning any such work or undertaking shall have been introduced into Parliament, or if such Petition or Bill shall be rejected or finally withdrawn by some proceeding in either House of Parliament, or shall not be allowed to proceed, or if an Act be passed authorizing the making of such work or undertaking; and if in any or either of the foregoing cases the person or persons named in such warrant or order, or the survivor or survivors of them, or the majority of such persons, apply by petition to the court in the name of whose Accountant-general the sum of money mentioned in such warrant or order shall have been paid, or to the Court of Exchequer in Scotland in case such sum of money shall have been paid in the name of the said Queen's Remembrancer, the court in the name of whose Accountant-general or Queen's Remembrancer such sum of money shall have been paid shall, by order, direct the sum of money paid in pursuance of such warrant or order, or the stocks, funds or securities in or upon which the same are invested, and the interest or dividends thereof, to be transferred and paid to the party or parties so applying, or to any other person or persons whom they may appoint in that behalf; but no such order shall be made in the case of any such Petition or Bill being rejected, or not being allowed to proceed, or withdrawn, unless it be proved by the certificate of the Chairman of Committees, if the said Petition or Bill was rejected or not allowed to proceed, or withdrawn in its passage through the House of Lords, or of the said Speaker, if the said Petition or Bill was rejected or not allowed to proceed, or withdrawn during its passage through the House of Commons, that the Petition or Bill has been either so rejected, or not allowed to proceed, or so withdrawn by some proceeding in one or other House of Parliament; which certificate the said Chairman or Speaker shall grant on the application in writing of the person or persons, or the majority of the persons, named in such warrant or order, or the survivor or survivors of them; and every such certificate shall be conclusive proof of such rejection, or not proceeding, or withdrawal.

STANDING ORDERS relative to PUBLIC MATTERS.

I.—Bills respecting Religion.

THAT no Bill relating to Religion, or the alteration of the Laws concerning Religion, be brought into this House, until the Proposition shall have been first considered in a Committee of the whole House, and agreed unto by The House. Religion.

II.—Bills respecting Trade.

THAT no Bill relating to Trade, or the alteration of the Laws concerning Trade, be brought into The House, until the Proposition shall have been first considered in a Committee of the whole House, and agreed unto by The House. Trade.

III.—Applications for Public Money.

1.—THAT this House will receive no Petition for any Sum of Money, relating to Public Service, but what is recommended from The Crown. PublicMoney.

2.—That this House will not proceed upon any Petition, Motion or Bill, for granting any Money, or for releasing or compounding any Sum of Money owing to The Crown, but in a Committee of the whole House.

3.—That this House will not receive any Petition for compounding any Sum of Money owing to The Crown, upon any branch of the Revenue, without a Certificate from the proper Officer or Officers annexed to the said Petition, stating the Debt, what Prosecutions have been made for the Recovery of such Debt, and setting forth how much the Petitioner and his Security are able to satisfy thereof.

4.—That this House will not proceed upon any Motion for an Address to The Crown, praying that any money may be issued, or that any expense may be incurred, but in a Committee of the whole House.

5.—That in any Bill which, having passed the House of Lords, shall be sent down to this House for their concurrence, or in any Bill which, having passed this House, shall be returned by the Lords with Amendments, it shall appear that any Pecuniary Penalty or Forfeiture is thereby imposed, varied or taken away, The Speaker shall, before the Second Reading of such Bill or Amendments, report to The House his Opinion, whether the object thereof be to impose, vary, or take away any Pecuniary Charge or Burthen on the Subject, or whether the same relates only to the punishment or prevention of Offences; and The House shall thereupon determine whether it may be expedient, in such particular case, to insist upon the exercise of their Privilege to originate all such provisions respecting pecuniary Penalties or Forfeitures. Relaxation of Privilege of The House, so far as relates to Pecuniary Penalties for Offences.

IV.—Temporary Laws.

THAT the precise duration of every Temporary Law be expressed in the Title of the Bill, and also in a distinct Clause at the end of the Bill, and no where else. Temporary Laws.

PRESENTATION of PUBLIC PETITIONS.

1.

THAT every Member offering to present a Petition to The House, not being a Petition for a Private Bill, or relating to a Private Bill before The House, do confine himself to a statement of the Parties from whom it comes, of the number of signatures attached to it, and of the material allegations contained in it, and to the reading of the prayer of such Petition.

2.

THAT every such Petition not containing matter in breach of the Privileges of this House, and which, according to the Rules or usual Practice of this House, can be received, be brought to the Table by the direction of The Speaker, who shall not allow any Debate, or any Member to speak upon, or in relation to, such Petition ; but it may be read by the Clerk at the Table, if required.

3.

THAT if such Petition relate to any matter or subject which the Member presenting it is desirous of bringing before The House, and if such Member shall state it to be his intention to make a Motion thereupon, such Member may give Notice that he will make a Motion on some subsequent day, That the Petition be printed with the Votes.

4.

THAT, in the case of such Petition complaining of some present personal grievance, for which there may be an urgent necessity for providing an immediate remedy, the matter contained in such Petition may be brought into discussion on the presentation thereof.

5.

THAT all other such Petitions, after they shall have been ordered to lie on the Table, be referred to the Committee on Public Petitions, without any Question being put.

6.

THAT, subject to the above regulations, Petitions against any Resolution or Bill imposing a Tax or Duty for the current service of the year, be henceforth received, and the usage under which The House has refused to entertain such Petitions be discontinued.

PROMULGATION of STATUTES.

ON 3d *June* 1801, an Address was agreed to, by both Houses;—To present to His Majesty the following RESOLUTIONS; and to entreat His Majesty to give Directions for the more speedy and general Promulgation of the Statutes of the Realm:—And on 9th *June* 1801, His Majesty's Answer thereto was reported, That His Majesty would give Directions accordingly.

1.

THAT it is expedient, for the more speedy and general Promulgation of the Laws of the United Kingdom of *Great Britain* and *Ireland*, that His Majesty's Printer should be authorized and directed to print not less than 5,500 Copies of every Public General Statute, and 306 Copies of every Public Local and Personal Statute.

2.

THAT His Majesty's Printer should be authorized and directed to print and deliver, or transmit (by the Post, or otherwise,) so soon as possible after each Bill has received the Royal Assent, the aforesaid number of 5,500 Copies of each Public General Statute.

3.

THAT His Majesty's Printer should be authorized and directed to print, and deliver or transmit in like manner, the aforesaid 306 Copies of each Public Local and Personal Statute.

4.

THAT every Chief Magistrate and Head Officer of any City, Borough or Town Corporate in *England* and *Ireland*, and of every Royal Burgh in *Scotland*, and every Sheriff, Clerk of the Peace, and Town Clerk, in the United Kingdom of *Great Britain* and *Ireland*, receiving any such Copies, should preserve them for the public Use, and transmit them to his Successor in office.

5.

THAT for the purpose of effectuating the Promulgation of Private Statutes (if the Parties interested therein shall think proper) and also for making compensation to the Clerk of the Parliaments and Officers of the House of Lords (in lieu of their annual average emoluments arising from the Office Copies of such Statutes) without bringing any new charge upon the Public, the Parties interested in every such Statute should make good such expense and compensation; "and that thereupon such printed Copies of every such Statute should be made judicially admissible in evidence, by adding thereto a Clause declaring the same to be a Public Act."

6.

THAT His Majesty's Printer should also be authorized and directed to class the General Statutes, and the Public Local and Personal Statutes of each Session, in separate Volumes, and to number the Chapters of each class separately; and also, to print One general Title to each Volume together with a general Table of all the Acts passed in that Session.

In Session 1803, it was resolved by both Houses of Parliament,

That so much of the 5th Resolution of the Lords and Commons, of the Session 1801, as provided that printed copies of Private Statutes shall be made judicially admissible in evidence by adding thereto a Clause declaring the same to be a public Act, shall be vacated;

That so much of the Resolutions of the Lords and Commons, of Session 1801, as relates to the printing and distribution of Private Acts of Parliament, shall be construed to extend only to such Acts of Parliament in which a Clause shall be inserted, declaring that such Act shall be printed by the Printer to the King's Most Excellent Majesty, and may be given in evidence in all Courts of Justice, and before all Judges and Justices, who shall take judicial notice thereof, in like manner as if the same had been declared to be a Public Act. Com. Jour. 58. 273. 281.

By 41 Geo. III. c. 90. s. 9. it was enacted,

That the Statutes of *England* and of *Great Britain*, printed and published by the King's Printer, shall be received as evidence in any Court in *Ireland*, and the Statutes of *Ireland* prior to the Union, so printed and published, shall be received as evidence in any Court in *Great Britain*.